

MINUTES

NEWPORT TOWNSHIP BOARD OF COMMISSIONERS

MEETING OF AUGUST 6, 2018

PRESIDENT, PAUL CZAPRACKI, CALLED THE MEETING TO ORDER AT 6:00 PM AND STARTED WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

ROLL CALL:

THE FOLLOWING COMMISSIONERS WERE IN ATTENDANCE: MS ZALESKI, MR VISHNEFSKI, MR ZYLA, MR ROKE, AND MR CZAPRACKI. ALSO IN ATTENDANCE WERE ATTORNEY JOHN SOLT (REPRESENTING TOWNSHIP SOLICITOR CHRISTOPHER SLUSSER), AND TOWNSHIP MANGER, PETER WANCHISEN.

CITIZENS' COMMENTS:

1. JANE M. STRAUB ADDRESSED THE COMMISSIONERS WITH A CONCERN ABOUT WATER FLOWING INTO HER BASEMENT DUE TO THE REPAVING OF MAIN STREET, GLEN LYON. SHE ALSO COMPLAINED ABOUT THE EXPERIENCE SHE HAD WHILE TRYING TO REPORT THE SITUATION TO THE FIRE DEPARTMENT ON THE DAY THAT THE FLOODING OCCURRED; STATING THAT SHE PLACED NUMEROUS CALLS TO THE FIRE DEPARTMENT OFFICE WHICH RESULTED IN NO ANSWER, AND NO RETURNED CALLS. SHE FURTHER STATED THAT SHE VISITED THE FIRE STATION BUT WAS UNABLE TO GAIN ENTRY. MS STRAUB WAS INSTRUCTED BY THE COMMISSIONERS TO CONTACT 911 DISPATCHERS TO ENGAGE EMERGENCY UNITS IN THE FUTURE; BUT TOWNSHIP STREET DEPARTMENT WILL WORK TO REMEDY THE FLOODING SITUATION UNTIL A PERMANENT PENNDOT SOLUTION IS DETERMINED.
2. MR AND MRS JOSEPH MOLSKI COMPLAINED ABOUT THE FOLLOWING:
 - a. FIREWORKS DURING THE LAST 4TH OF JULY PERIOD RESULTED IN DEBRIS SCATTERED ALL OVER THEIR PROPERTY. JOSEPH REQUESTED THE TOWNSHIP ENACT AN ORDINANCE LIMITING THE USE OF FIREWORKS. TOWNSHIP MANAGER, PETER WANCHISEN, WILL RESEARCH ORDINANCE ACTIVATION FROM SURROUNDING COMMUNITIES AND REPORT FINDING TO THE COMMISSIONERS FOR THEIR CONSIDERATION.
 - b. MRS. MOLSKI COMPLAINED ABOUT A NEIGHBOR WHO HAS BEEN ENCROUCHING ON THE ALLEY NEAR THEIR HOME. A FULL EXPLANATION AS TO WHAT CAN BE DONE WAS PROVIDED BY COMMISSIONERS CZAPRACKI, ZYLA, DPW MANAGER JOSEPH HILLAN, AND ATTORNEY JOHN SOLT.

3. RICH GRABINSKI, COLLEGE HILL, REQUESTED SIGNAGE THAT WOULD REDUCE THE TRAFFIC ON DEADEND STREETS IN THAT AREA. JOSEPH HILLAN WILL ORDER THE REQUIRED SIGNS AND INSTALL IN THE AFFECTED AREA.
4. PALMIRA MILLER, GLEN LYON, PROVIDED A REPORT ON THE FOOD DISTRIBUTION PROGRAM AND ANNOUNCED ANOTHER PROGRAM THAT WILL TAKE PLACE AT THE HANOVER MIDDLE SCHOOL ON AUGUST 14, 2018.
5. JAMES CALEG COMPLAINED ABOUT EXCESSIVE ATV TRAFFIC NEAR HIS HOME RENDERING THE BACKYARD UNUSEABLE. HE WAS ENCOURAGED TO CALL 911 TO INITIATE A TRACKING NUMBER AND IMMEDIATE DISPATCH OF POLICE TO THE AREA. MR CALEG REPORTED SEEING A PARTICULAR INCIDENT ON ROCK STREET WHERE A SPEEDING ATV NEARLY STRUCK A CHILD.

APPROVAL OF MINUTES:

MR ZYLA MADE A MOTION TO APPROVE THE MINUTES OF THE JULY 2, 2018 COMMISSIONERS MEETING. THAT MOTION WAS SECONDED BY MR ROKE. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.

MR ROKE MADE A MOTION TO APPROVE THE MINUTES OF THE JULY 17, 2018 SPECIAL MEETING. THAT MOTION WAS SECONDED BY MR VISHNEFSKI. VOTING TO APPROVE THE MOTION WERE MR VISHNEFSKI, MR ROKE, AND MR CZAPRACKI. ABSTAINING WERE MS ZALESKI AND MR ZYLA. THE MOTION PASSED.

REPORT OF TOWNSHIP FUNDS:

MR WANCHISEN REPORTED THE FUNDS ON HAND AS OF JULY31, 2018:

a. GENERAL FUND	\$236,305.48
b. THEFT RESTITUTION FUND	\$105,820.62
c. RECYCLING FUND	\$23,665.88
d. REFUSE FUND	\$130,932.05
e. UDAG	\$9,720.78
f. PLGIT (liquid fuels)	\$82,843.72
g. FIRE DEPARTMENT CONTROLLED	<u>\$18,449.44</u>
TOTAL CASH ON HAND	\$622,536.08

NOTE: YEAR TO DATE INTEREST EARNED ON DEPOSITS AT FNCB \$2,279.38

A MOTION TO ACCEPT THE REPORT OF CASH ON HAND WAS MADE BY MR VISHNEFSKI. THAT MOTION WAS SECONDED BY MS ZALESKI. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.

APPROVAL OF RECURRING BILLS:

MR WANCHISEN PRESENTED A LIST OF RECURRING BILLS PAID DURING JULY, 2018 TOTALLING \$67,781.41. MR VISHNEFSKI MADE A MOTION TO APPROVE THE BILLS. THAT MOTION WAS SECONDED BY MR ZYLA. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.

APPROVAL OF NON RECURRING BILLS:

MR WANCHISEN PRESENTED A LIST OF NON RECURRING BILLS THAT ARE DUE DURING AUGUST, 2018 TOTALLING \$69,481.70. A MOTION TO PAY THE BILLS WAS MADE BY MR VISHNEFSKI. THAT MOTION WAS SECONDED BY MR ROKE. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.

DEPARTMENT REPORTS:

THE FOLLOWING REPORTS WERE GIVEN BY THE COMMISSIONERS RESPONSIBLE FOR THEIR RESPECTIVE OVERSIGHT:

- a. STREET DEPARTMENT MR CZAPRACKI
- b. POLICE DEPARTMENT MR ZYLA
 - a. MR ZYLA COMMENDED POLICE CHIEF BLANK FOR HIS BEING MENTIONED IN A TIMES LEADER ARTICLE CALLED FIRST RESPONDERS BADGE OF COURAGE.
 - b. MR ZYLA ALSO REPORTED THAT EFFORTS TO RECRUIT A PART TIME POLICE OFFICER OVER THE PAST SEVERAL WEEKS HAVE PROVED TO BE FRUITLESS. WE ARE NOW EMBARKING ON AN EFFORT TO HIRE ONE MORE FULL TIME OFFICER TO SHORE UP THE ROSTER AND DECREASE THE DEPENDANCE ON STATE POLICE COVERAGE.
- c. CODE ENFORCEMENT MS ZALESKI
- d. FIRE DEPARTMENT MR ROKE
- e. PARKS AND RECREATION MR VISHNEFSKI

ALL WRITTEN REPORTS SUBMITTED BY THE COMMISSIONERS ARE INCORPORATED IN THESE MINUTES AND WILL BECOME A PERMANENT PART THEREOF.

SOLICITOR'S REPORT:

ATTORNEY JOHN SOLT INDICATED THAT THE TOWNSHIP WAS SUCCESSFUL IN A MAGISTRATE'S DECISION REGARDING THE OVERPAYMENT OF BENEFITS TO FORMER POLICE CHIEF ALBERT VANDERMARK. JUDGEMENT IN THE AMOUNT OF \$12,000 PLUS COSTS WAS AWARDED TO NEWPORT TOWNSHIP. ON JULY 6, 2018 WE WERE NOTIFIED THAT MR VANDERMARK CHOSE TO APPEAL THAT DECISION. THE APPEAL WILL BE HEARD IN LUZERNE COUNTY COURT OF APPEALS AND THE AMOUNT OF OUR CLAIM WILL BE INCREASED TO THE ENTIRE \$38,000 OVERPAYMENT AS OPPOSED TO THE MAXIMUM \$12,000 LIMIT IN THE MAGISTRATE'S AUTHORITY.

FINANCIAL OVERSIGHT REPORT:

- a. JENNIFER POLITO REPORTED THAT THE 2017 AUDIT WAS COMPLETED AND THERE WERE NO FINDING OR CRITICISMS CONTAINED IN THE AUDIT.
- b. A REVIEW OF THE P&L INDICATED THAT NEWPORT TOWNSHIP IS MAINTAINING SOLID CASH FLOW MANAGEMENT.
- c. 2018 BUDGET ANALYSIS SHOWS FAVORABLE INCOME AND EXPENSE EXPERIENCE THROUGH JULY 2018.
- d. 2019 BUDGET PLANNING IS IN ITS EARLY STAGES AND ASKED FOR ANY MAJOR PRIORITIES THAT MUST BE CONSIDERED.

TOWNSHIP MANAGER'S REPORT:

- a. PASS ORDINANCE #2018-3, QUALITY OF LIFE

A MOTION TO ENACT ORDINANCE 2018-3, QUALITY OF LIFE, WAS MADE BY MR ZYLA. THAT MOTION WAS SECONDED BY MR ROKE. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.

- b. RECENTLY COMPLETED STREET PAVING WORK
 - i. HEMLOCK ST, FINE ST, CHURCH ST, ALDEN AVE, AND 500 FEET OF RAILROAD ST.
NOTE: ENGINEER'S ESTIMATED COST \$127,222 VS \$33,396 ACTUAL COST. A SAVINGS OF \$93,826 BY USING NEWPORT TOWNSHIP EMPLOYEES AND LEVERAGING OUR RELATIONSHIP WITH PLYMOUTH TOWNSHIP.
- c. 21 PROPERTY OWNERS HAVE BEEN SENT FOR MAGISTRATE COLLECTION REGARDING THEIR 2018 TRASH / RECYCLING FEE. HEARINGS ARE SET FOR AUGUST 7, 2018
- d. RECEIVED THE QUARTERLY FRANCHISE FEE FROM ATLANTIC BROADBAND IN THE AMOUNT OF \$11,430

- e. GRANT UPDATES:
 - i. RAILROAD STREET DRAINAGE PROJECT- PENNEASTERN REPORTED THAT THE PROJECT IS NOW IN THE DESIGN STAGE AND WILL TAKE "A COUPLE OF MONTHS BEFORE IT CAN BE SENT OUT FOR BID".
 - ii. LUZERNE COUNTY INFRASTRUCTURE IMPROVEMENT APPLICATION WAS SUBMITTED. NO WORD WHEN THE DECISION WILL BE MADE AS TO THE DOLLAR AMOUNT OF THE AWARD.
 - iii. MULTIMODAL APPLICATION WAS SUBMITTED ON JULY 26, 2018. REQUESTED AMOUNT WAS \$253,325 FOR REPAVING RAILROAD, PRINCE, BURNETTE, FRANKLIN STREETS, AND NORTHERN AVENUE.
 - iv. OCD GLEN LYON DRAINAGE AND PAVING AWARD DOCUMENTS WERE SIGNED AND FORWARDED TO PENNEASTERN. DON E. BOWER WILL DEVELOP A PROJECT SCHEDULE BY MID AUGUST.
- f. RESOLUTION 7-2018 APPROVING THE TRANSFER OF LIQUOR LICENCE #R186 FROM WILKES BARRE BEVERAGE, LLC TO VANDRUHI, LLC LOCATED AT 110 ROBERTS STREET, NEWPORT TOWNSHIP. MR ROKE MADE A MOTION TO APPROVE THE TRANSFER OF LIQUOR LICENCE #R186 FROM WILKES BARRE TO NEWPORT TOWNSHIP WAS MADE BY MR ROKE. THAT MOTION WAS SECONDED BY MR VISHNEFSKI. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.
- g. THERE WILL BE AN EMERGENCY MANAGEMENT DRILL CONDUCTED ON OCTOBER 16, 2018 BETWEEN THE HOURS OF 3:00 PM AND 9:00 PM. LOCAL, STATE, AND FEDERAL EMERGENCY OFFICIALS WILL UTILIZE THE TOWNSHIP COMMUNITY ROOM AND THE EMERGENCY MANAGEMENT OFFICE FOR THIS DRILL, THEREFORE; THE COMMISSIONERS WORKSHOP MEETING WILL BE HELD IN THE ADMINISTRATIVE OFFICE ON THAT NIGHT. SIGNAGE WILL BE PLACED IN THE MUNICIPAL BUILDING ENTRANCE ALERTING RESIDENTS OF THE LOCATION CHANGE.
- h. RESOLUTION #5-2018, APPROVING A PROMULGATION TO ADOPT THE RADIOLOGICAL EMERGENCY RESPONSE PLAN FOR NEWPORT TOWNSHIP EMERGENCY MANAGEMENT AGENCY. EMERGENCY MANAGEMENT COORDINATOR JEFF KOWALSKI, REQUESTED AND RECEIVED APPROVAL FOR RESOLUTION #5-2018 WHEREBY NEWPORT TOWNSHIP COMMISSIONERS APPROVED A PROMULGATION RELATED TO A NUCLEAR EMERGENCY PLAN. THE MOTION TO APPROVE THE RESOLUTION WAS MADE BY MR ROKE. THAT MOTION WAS SECONDED BY MR VISHNEFSKI. ALL COMMISSIONERS PRESENT VOTED YES, AND THE MOTION PASSED.
- i. A LETTER WAS SENT TO KEITH WILLIAMS, MANAGER, PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, ALERTING HIM OF A DANGEROUS SITUATION THAT EXISTS ON ROBERT STREET AS A RESULT OF STREET PARKING IN THE AREA BORDERED BY PRINCE STREET AND OLD NEWPORT STREET. LETTER ATTACHED.

- j. WYOMING VALLEY SANITARY AUTHORITY HAS PURCHASED SEVERAL STREET SWEEPING MACHINES AND HAS EMBARKED ON A GOOD WILL PROGRAM FOR THE COMMUNITIES THEY SERVE. STREETS IN NEWPORT TOWNSHIP WILL BE SWEEPED ON AUGUST 8, 9, AND 10. RESIDENTS WILL BE NOTIFIED WHEN THEIR STREET WILL BE SWEEPED SO THAT VEHICLES CAN BE MOVED

NEW BUSINESS / COMMISSIONERS' COMMENTS:

MR CZAPRACKI ADDED TO HIS COMMENTS HE MADE DURING THE CITIZENS' COMMENT PERIOD BY STATING HE TAKES ALL RESIDENTS COMMENTS VERY SERIOUSLY, AND HIS INTENTION IS TO REACT TO ALL COMMENTS, RECOMMENDATIONS, AND CRITICISMS. HE ENCOURAGED ALL PARTIES PRESENT TO VOICE THEIR COMMENTS AND RECOMMENDATIONS AND HE WILL MAKE EVERY ATTEMPT TO RESOLVE PROBLEMS.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS, MR CZAPRACKI ADJOURNED THE MEETING AT 7:54 PM.

A handwritten signature in cursive script, appearing to read "Peter F. Wanchisen", is written over a horizontal line.

PETER F. WANCHISEN, TOWNSHIP MANAGER