



Borough Council Minutes
July 11, 2023
7:30 pm

- Call to Order, Salute to the Flag and Roll Call 7:34 p.m.

Mr. Eric Kudrich President	P	Mr. Sean Alessandra Councilman	P	Mr. Jason Ohliger Solicitor	P	Mr. Kowinski Fire Department	P
Mr. Dave Clark Vice President	P	Mr. John Bush Jr Councilman	P	Mr. Greg Myer Treasurer	P	Assistant Chief Stewart EPRPD	A
Mr. Dayne Losee Councilman	P	Mr. Jon Maney Councilman	A	Ms. Amy Turner Tax Collector	A	Mrs. Lisa Salvato Recreation	P
Mrs. Janet Clark Mayor	P	Mr. Harry Prey Councilman	P	Mr. Tom Olver EMA	A	Mr. Shawn Bolles Zoning/Code Enforcement Office/Park Mgr	A

Public in attendance: approximately 12 members of the public present.

1. **President's Remarks:** 4th of July fireworks display was a huge success; the splash pad is open and pavilion rentals are steady. The planters for the Ave have arrived, we are still waiting for the trash receptacles.

2. **Added Motion(s):**

- c. Motion to apply for Transportation Alternatives Set Aside PennDOT grant (TASA)
- d. Motion to advertise a joint meeting between Westfall and Matamoras to discuss the 2024 Eastern Pike Regional Police budget on September 18 at 7:00 pm
- e. Motion to advertise a public hearing regarding the garbage ordinance.

Motion to add the above motions: Losee/Prey. All in favor.

3. **Public Comment** (When recognized by the president, per Borough Code, state your name and address for the minutes)

- Dimitry Roby 105 Pennsylvania Avenue commented that a Right to Know request submitted did not receive a response. Is the existing building coming down? If the existing building is being demolished it will now be a 7,000 sqft commercial building. Also noted that there is a liquor permit for a distributor posted on the window. It is not a principle permitted use.
- Paul DeLorenzo of Pocono Pros was hired by Mr. Patel to demolish 507-509 Pennsylvania Ave. Stated that they applied for permits and the permits are pending approval. Mr. Ohliger noted that the application for the project is on the agenda with a recommendation of denial. He advised Mr. DeLorenzo to contact the applicant and have him e-mail a request for an extension immediately we can carry the motion.

4. **Unanimous Consent Agenda M: Losee/Prey. All in favor.**

- a. Approval of Minutes – June 13, 2023 Special Hearing and Council Meeting.
- b. Approval of Treasurer's Report – June 2023
- c. Approval of bills to be paid – June 2023
- d. Approval of reimbursement to the recreation department for invoices paid on behalf of the Wade Trust Fund, copy of expenditures:

5. Reports:

- Mayor: Janet Clark: Commented it was a privilege to be a part of the Fireman’s Parade, and this was her last parade as Mayor of Matamoras. The 4th of July was wonderful.
- General Government Committee: Harry Prey: Requested the support of Council to take action on zoning issues that are not being responded to. Also advised the Council that Chapter 67-1 needs to be amended to have reference to “construction waste” removed, our contract with the waste facility is for residential waste only. Also stated Ordinance 67-2 needs to be amended to include a weight limit for the cans. Requested the Council take care of this tonight.
Mr. Ohliger suggested they vote to advertise a public hearing and then pass the ordinance in August. He then asked for guidance on how Council wished him to proceed with the various zoning issues. There are two ways to enforce ordinances: file violations with the Magistrate seeking fines or file injunction actions in the Courts of Common Pleas. Mr. Prey requested that they discuss these matters later in the evening in Executive Session.
- Fire Committee: John Bush Jr.: Nothing to report.
- Public Works: Harry Prey: Read DWP report for the month. Again, requested yard waste containers have drainage holes and residents place waste in manageable piles and/or tie bundles. Weather permitting, crosswalks will be painted. Storm drains will be assessed and attended to. Will be obtaining bids for 7 trees located in the Borough right-of-way that need to be removed.
- Facilities Committee: John Bush Jr.: Nothing to report.
- Finance Committee: Dave Clark: Rainey & Rainey is proposing to do the audit for 2022 at a cost of \$4,800. Also noted that they need to vote to advertise a joint meeting with Westfall on September 18th.
- Planning Mark Madsen: Next planning meeting will be July 18th and will be looking at signage on windows on commercial buildings.
- Recreation Advisory Board: Jon Maney/Lisa Salvato: Nothing to report
- Eastern Pike Regional Police: Not present.
- Fire Chief: Todd Kowinski: Inquired about the status of an invoice from Firefighter One, the account is suspended. Inspections must be done; the outstanding bill needs to be paid. They have 9 new members joining and will need gear. Mr. Clark noted that Tom Long bought equipment last year from Firefighter One and tried to submit the bill to the Borough. This bill should be paid from Fire Department funds since the purchase is not a line item the Borough is responsible to pay. Tom Long is aware of this and has been told a number of times it is the responsibility of the FD to pay. There are specific items the Fire Department is responsible for. He further stated that if the Borough were to pay for the gear, the procedure is that the FD contacts Councilman Bush for approval and then the purchase be sourced by the Borough Secretary.
- Emergency Management: Tom Olver: Not present, Mr. Alessandra reported that the emergency sirens are all operational.
- Police Commission: Dave Clark and Sean Alessandra: Lighting struck the Westfall Municipal building causing damage to all the electronics. This large loss will be submitted to their insurance company. The Police Department will be receiving four new vehicles within the month, one was purchased with funds from a LSA grant they received. Staffing issues still remain. There is a potential new full-time officer and part-time officer who are currently going through the background check process and there is a candidate going into the academy class in January.
- Code Enforcement/Park Manager: Shawn Bolles: Not present.
- Sewage: Dave Clark: No change
- All other Reports on file:

Police Report	Recreation	Police Commission
Planning X	Fire Department	Municipal Authority
Myer & Meyer Financial Report X	Berkheimer EIT Report X	Pike Tax Maintenance Updates X

6. **Correspondence:** On file:

- Invitation to Law & Leadership Academy on Friday July 14, 2023 at 10:00 am at DVHS Auditorium
- E-mail from Rainey & Rainey, Engagement letter
- PennDOT Transportation Impact Study (TIS) Determination & Scoping Meeting Application dated 06/28/2023 and 06/30/2023
- Letter to PennEastern Engineers, LLC from PennDOT regarding Tejrishi Corp of PA Highway
- Letter from Planning to Council regarding 507-509 Pennsylvania Ave
- Letter from John W. Dalton, Jr. regarding electric bikes
- Letter from PennDOT Notice of Violation 608 Pennsylvania Ave Tri State TOB King
- E-mail from Damon McCaffery regarding the fireworks display

9. **Old Business:**

- a. Motion to advertise a public hearing to discuss proposed Ordinance 2023-005 Chapter 118-25 Parking Prohibited at all times and 118-26 Parking Prohibited during certain hours. **M: Prey/Clark. All in favor.**

10. **New Business:**

- a. 507-509 Pennsylvania Ave Lot Improvement, Land Development application. Mr. Ohliger noted that he received a 90-day extension request from the applicant. He stated that the application was recommended for denial due to the fact there is a condemned building that needs to be demolished yet still remains standing. Mr. DeLorenzo stated that once he receives the permits from the Borough Zoning Officer and Building Department that the demolition project will take approximately 15 days. Mr. Ohliger laid out the timeline of the project. Planning is meeting on Tuesday July 18. Council should send the application back for substantive review, provided the demolition is started. If it is not in progress then he suggests that the Planning make another recommendation for denial. The next Planning meeting is August 15th. The demo should be 100% complete. At this second planning meeting the Planning Commission should finish the substantive review. If more time is needed, Planning can use one more meeting before the timeline runs out. Discussion ensued regarding the project timeline, cesspools and proper abandonment procedures, and lack of compliance from the applicant.
Motion to accept the 90-day extension request to October 10, 2023 and refer the application back to the Planning Commission. **M: Losee/Clark. All in favor.**
- b. Motion to approve Rainey & Rainey contract for auditing services for year 2022. **M: Clark/Losee. All in favor.**
- c. Motion to apply for TASA Safe Route to School grant. **M: Clark/Losee.** Discussion ensued. **All in favor.**
- d. Motion to advertise a joint meeting between Westfall and Matamoras to discuss the 2024 Eastern Pike Regional Police budget on September 18 at 7:00 pm. **M: Alessandra/Losee. All in favor.**
- e. Motion to advertise a public hearing regarding Garbage Chapter 67-1 Definitions and 67-2 Containers: provision required; size; number: dumpster; construction. **M: Prey/Losee.** Discussed removal of “construction wastes” and imposing a weight restriction for cans. **All in favor.**

11. Public Comment:

Discussion circled back to the Liquor Permit displayed on the beer store. Mr. Ohliger stated that he would be reaching out to the Attorney to determine what their intention is. If it is in fact to change the use from what was approved, it would be a problem.

Mark Madsen 801 Ave M: Noted that the extra mill for the Fire Department was imposed because of equipment testing that needed to be done. Earlier it was stated that testing was not done and the Department wanted to move the money intended for testing equipment for a different purpose. Why wasn't the equipment testing completed? Mr. Kowlinski stated he believed the only testing that wasn't completed was the hose testing. Shawn Alessandra stated that testing isn't being done at the present time because the company will not come out until the outstanding bill is paid. Mr. Clark said a simple solution would be for the Department to pay their bill, as it is clearly a line item the Department is responsible for paying. Mr. Long was told on multiple occasions to write a letter to Council stating that he would like the line-item money that was not used to test the equipment moved in order to pay the bill for the turnout gear. It was noted that testing was not completed on the hoses because they were new. Mr. Clark outlined the procedure of purchase orders. Mr. Alessandra recommended that the Fire Department pay the bill in order to allow equipment testing to be completed and sort it out later.

8:56 Motion to adjourn to Executive Session: **M: Prey/Losee. All in favor.**

9:12 Council returned.

Motion to have the Borough Solicitor initiate magistrate action with respects 806 PA Ave and 310 Ave I. **M: Prey/Losee. All in favor.**

Motion to authorize the DPW to cut the grass at 211 Ave I and send a bill for this service to the homeowner. **M: Prey/Losee. All in favor.**

Motion to have the Borough Solicitor file an injunction on 903 Ave N to have the homeowner clean up the property and address the rodent and pest infestation. **M: Prey/Losee. All in favor.**

Motion to adjourn at 9:15 pm. **M: Prey. All in favor.**

Respectfully submitted,

Marianne Brown
Borough Secretary