

Borough Council Hearing Minutes  
June 13, 2023  
7:15 pm

- Call to Order, Salute to the Flag and Roll Call 7:39 p.m.

Mr. Eric Kudrich President	P	Mr. Sean Alessandra Councilman	A	Mr. Jason Ohliger Solicitor	P	Mr. Kowinski Fire Department	A
Mr. Dave Clark Vice President	A	Mr. John Bush Jr Councilman	A	Mr. Greg Myer Treasurer	P	Corporal Adams EPRPD	A
Mr. Dayne Losee Councilman	P	Mr. Jon Maney Councilman	P	Ms. Amy Turner Tax Collector	P	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	P

Public in attendance: approximately 13 members of the public present.

**President's Remarks:**

President Kudrich apologized for the delay.

This meeting was advertised in the Pocono Record on 06/02/2023 and on the borough website.

The purpose of this Public Hearing is to discuss the Repeal of that portion of Ordinance 252 entitled Use and Sale of Fireworks Prohibited, which is currently codified as Section 78-15 of the Matamoras Code.

Solicitor Ohliger stated the repeal of the Ordinance 252 §78-15 is necessary since it is no longer consistent with state law. Last year Pennsylvania Legislature passed Act 74 of 2022 which provides that the use and sale of consumer grade fireworks is generally permitted and commercial grade fireworks requires special permits. It also sets forth certain prohibitions that limit the use of consumer grade fireworks, such as they cannot be used within 150 feet of a building or structure. These prohibitions are enforceable by state law. Our ordinance was inconsistent with Act 74 2022, so therefore must be repealed.

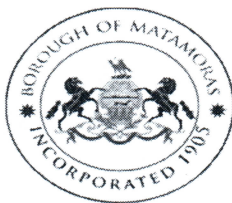
Mr. Ohliger asked if any members of the public wished to be heard. There was no response.

A motion to pass Ordinance 2023-004 to Repeal Ordinance 252 §78-15 was made by Councilman Prey and seconded by Councilman Maney. All in favor. **Motion Passed.**

Motion to adjourn at 7:43 pm. **M: /Prey. All in favor.**

Respectfully submitted,

Marianne Brown  
Borough Secretary



Borough Council Minutes  
June 13, 2023  
7:30 pm

- Call to Order, Salute to the Flag and Roll Call 7:43 p.m.

Mr. Eric Kudrich President	P	Mr. Sean Alessandra Councilman	A	Mr. Jason Ohliger Solicitor	P	Mr. Kowinski Fire Department	A
Mr. Dave Clark Vice President	A	Mr. John Bush Jr Councilman	A	Mr. Greg Myer Treasurer	P	Corporal Adams EPRPD	A
Mr. Dayne Losee Councilman	P	Mr. Jon Maney Councilman	P	Ms. Amy Turner Tax Collector	P	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	P

Public in attendance: approximately 13 members of the public present.

1. **President's Remarks:** President Kudrich and Councilman Jon Maney presented Keith Fitzpatrick, DV CTE Building and Trade Occupations, with a plaque of appreciation for building two dugouts in Airport Park.

President Kudrich gave an update on the planters and trash cans for the Avenue, thanked the DPW for hanging the American Flags and Veteran Banners and planting the trees on the Avenue and in Airport Park. He also noted how great the park is looking.

2. **Added Motion(s):** None

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 on the project being performed on the Avenue as being the wrong size, use and place. Commented on a "freedom of information act" responses received. Mr. Ohliger addressed the public to clarify that Mr. Roby is not suing the Borough. Mr. Roby is appealing, in Appellate Court, the approval that has been received on the project located at 111 Pennsylvania Ave. Mr. Ohliger further corrected Mr. Roby that he the requests that are being submitted are not "Freedom of Information", they are "Right to Know" and explained the provisions. President Kudrich responded that he was aware of the Right to Know Requests and that responses have been returned.
- Lena Marinara 100 8<sup>th</sup> Street: Heart of Matamoras will be hosting another community pot luck at the fire house pavilion on August 12<sup>th</sup>. She will provide more details as they become available.

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

- a. Approval of Minutes – May 09, 2023
- b. Approval of Treasurer's Report – May 2023
- c. Approval of bills to be paid – May 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: Reminded everyone that tomorrow is Flag Day.

- General Government Committee: Harry Prey: Zoning issues are being addressed.
- Fire Committee: John Bush Jr.: Not present, report on file.
- Public Works: Harry Prey: Read DWP report for the month. Requested grass clipping be put in cans with drainage holes so rain can seep out.
- Facilities Committee: John Bush Jr.: Not present, report on file.
- Finance Committee: Dave Clark: Not present
- Planning Mark Madsen: Not present.
- Recreation Advisory Board: Jon Maney/Lisa Salvato: Mrs. Salvato noted two upcoming events being presented to Council for approval. The Recreation Advisory Board voted on dates for opening/closing of the splashpad. The splashpad will be open from July 4<sup>th</sup> to Labor Day. Operation will be dependent on weather, maintenance and availability of staff. Mrs. Salvato is now the administer of the recreation Facebook page; it is being updated with events and it has been well received with a number of “likes” on the page. A bench dedication for Linda O’Donnell will take place on June 16<sup>th</sup> at 6:30 pm and for George Fetherman on Sunday July 2<sup>nd</sup> at 9:00 am. Mr. Maney thanked Shawn Bolles, the DPW crew and Bob Howard for all the work they did in Veterans Park. Two trees have been planted, four trees have been removed and 25 yards of topsoil was used to level the grounds.
- Eastern Pike Regional Police: Not present, report is on file.
- Fire Chief: Tom Long: Not present, report is on file.
- Emergency Management: Tom Olver: Not present.
- Police Commission: Dave Clark and Sean Alessandria: Not Present.
- Code Enforcement/Park Manager: Shawn Bolles: Mr. Bolles asked council how they would like him to proceed with following through with citations and court. Bring each to council, use his judgement, or assign a council member to zoning to review in order to proceed with civil action? Mr. Bolles discussed some active items he has and needs to act on. Mr. Kudrich stated guidance will be given for items on hand, but requested this be tabled until next month. Mr. Ohliger stated that non-zoning vs zoning issues should be handled differently. Mr. Bolles acting as the Code Enforcer should be able to file non-zoning citations himself. He suggested zoning issues should go before council. Council should decide if they want to file enforcement action in the Magistrate Court or file an injunctive action in the Court of Common Pleas.
  - Mr. Losee made a motion to appoint the head of the General Government Committee as liaison for non-zoning matters. If there is a consensus, the zoning officer is authorized to file. If there is not a consensus then the matter will be presented before Council. **M: Losee/Maney. All in favor.**
- Sewage: Dave Clark: No change
- All other Reports on file:

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

6. **Correspondence:** On file:

- Letter from Adam Priestly regarding LSA Monroe Grant approved projects. *President Kudrich noted that the letter was regarding the grant for improvements to the Borough Building; the grant submission was not approved.*
- Letter of resignation from DPW employee Brian McBride
- Letter from the Planning Commission to Borough Council regarding Chapter 118-25 Parking Prohibited at all times
- Letter from the Planning Commission to Borough Council regarding Chapter 105 Streets and Sidewalks Article IV
- Copy of a letter from PA Department of Environmental Protection to PCLP regarding Approval of Minor Amendment to Permit application number PAD520038 A-1



- Letter from The Heart of Matamoras requesting use of the Annex on October 19, 2023 for an art exhibit.

**9. Old Business:**

- Repeal of Fireworks Ordinance 252 §78-15 Use and Sale of Fireworks Prohibited. *Approved in prior meeting.*

**10. New Business:**

- Paving Project Bid #2, Ave K from Delaware Drive to 7<sup>th</sup> Street. Two sealed bid packets were received. Heidelberg Materials Northeast, LLC bid of \$114,432 and Wayco, Inc. bid of \$112,548 were opened by President Kudrich, reviewed by Solicitor Ohliger. Motion to accept Paving Project Bid #2 from Wayco, Inc. at \$112,548. **M: Prey/Losee. All in favor.**
- Motion to accept resignation of Brian McBride, with regrets. **M: Prey/Maney. All in favor.**
- Motion to hire Tom Butler as Working DPW Foreman, effective immediately, at a rate of \$25.00 per hour. **M: Prey/Maney.** Discussion ensued. Mr. Butler has a CDL Class B license, references have been checked by Mr. Prey. **All in favor.**
- Chapter 118-25 Parking Prohibited at all times. President Kudrich and Mr. Bolles explained the proposed changes. It was noted there were also minor changes needed to 118-26. Mr. Ohliger stated that this is a two-step process. First, Ordinance 2023-*tbd* would need to be drafted with the proposed changes inserted. Next, during the July council meeting, Council can make a motion to advertise a hearing for the Ordinance for the August meeting.  
Motion to draft proposed ordinance for parking, Ordinance 2023-*tbd* amending Chapter 118-25 and 118-26. **M: Maney/Prey. All in favor.**
- Motion to advertise a public hearing on July 11, 2023 at 7:15 regarding proposed ordinance to amend Chapter 105 Article IV Streets and Sidewalks. **M: Losee/Maney.** Discussion ensued; Mr. Prey explained the issues with street excavations in the Borough. The proposed Ordinance submitted by the Planning Commission gives the Borough more authority to have the roads repaired, pull permits etc. if work was improperly completed. **All in favor.**
- Motion to approve McAteer & Will Estates July 4<sup>th</sup> Fireworks Celebration, no rain date, application fee waived. **M: Losee/Maney. All in favor.**
- Motion to approve Heart of Matamoras photo exhibit/auction October 19, 2023 in the Borough Annex. **M: Prey/Maney. All in favor.**
- Motion to approve "Park after Dark" event on July 14, rain date July 15<sup>th</sup>. **M: Maney/Prey. All in favor.**
- Motion to apply for PA Infrastructure Improvements and Projects Committee grant for improvements to Borough Hall. **M: Maney/Prey. All in favor.**
- Motion to apply for PennDOT 2023 Transportation Alternatives Set Aside (TASA) for ADA compliant sidewalks. **M: Maney/Prey.** Discussed putting in sidewalk from PA Ave to the elementary school, either on 6<sup>th</sup> or 7<sup>th</sup> Street. **All in favor.**

**11. Public Comment:** None

Motion to adjourn at 8:45 pm. **M: Losee/Prey. All in favor.**

Respectfully submitted,



Marianne Brown  
Borough Secretary