

MOSCOW BOROUGH COUNCIL

MINUTES OF THE NOVEMBER 7, 2016 MEETING

A meeting of the Moscow Borough Council was held on November 7, 2016 at 7:00 p.m. at the Moscow Borough Building, 123 VanBrunt Street, Moscow, PA. The following Council members were either present or absent:

Arthur Pencek – President	Present	Marc Gaughan	Present
Joseph Castrogiovanni	Present	William Heim, Vice-President	Present
Edward Gaughan	Present	Thomas Lynch	Present
		Rosemarie Warner, Secretary	Present

Also present were Constance Sanko (Secretary/Treasurer), Ivy Brenzel (Police Chief), Dave Lamm (Building Inspector/Zoning Officer), Bruce Zero (Solicitor), Grace Hamilton (Junior Council Member), and citizens, Brian and Maureen Chase, Frank Goryl, Elaine Waskovich, Janet Friel, Shirley Flyte, Mark Paradise, and Patrick McLane.

Citizen's Comments:

- Maureen Chase, 140 VanBrunt Street, asked if Attorney Joseph McDonald was contacted by the Borough regarding the status of the lawsuit with St. Catherine's. Art Pencek said that Attorney McDonald sent a letter and is waiting for a hearing date. Mrs. Chase expressed her dissatisfaction with the length of time it has been since the problem began at St. Catherine's which is still unresolved. Following a very lengthy discussion Attorney Zero advised Mrs. Chase to hire an attorney and stated that the Borough is also dissatisfied with the situation which is why an injunction was filed against the Zoning Hearing Board. Mrs. Chase asked to be notified when a hearing date has been set.
- Brian Chase, 144 VanBrunt Street, said that the advertising signs on the fence at the corner of VanBrunt and Main Streets are obstructing the view for people driving from VanBrunt to Main Streets. Art Pencek said he will have someone look at the situation, which Dave Lamm said had been an issue in the past.
- Brian Chase also inquired about the ordinance for park rules stating that there is no place to take dogs. Marc Gaughan said that dogs can be taken on the new trail system near the Moscow Sewer Authority which has eight to ten miles of trail where dogs can run free. Rose Warner said the ordinance is one set of rules for all parks. The issue of dog parks had been researched in the past but there are insurance issues.
- Shirley Flyte, 304 Janette Street, expressed her concern with a ten inch drop off by her mailbox that was created when the street was paved. Marc Gaughan said that the problem will be rectified.
- Janet Friel again expressed her dissatisfaction with the curb in her driveway. Marc Gaughan said it is designed to keep water from going onto her property and the Borough's property causing erosion.
- Frank Goryl, 221 North Main Street, asked about posting a sign for Russian Christmas at the intersection of Church and Main Streets. He was informed that he needs to fill out a Sign Permit Application.
- Frank Goryl distributed copies of a letter he read to Council members regarding his concern with the woodlot behind his house being removed by Mark Paradise when he builds the two Affordable Senior Living units. This issue was also previously discussed at the October 31, 2016 Planning Commission meeting. Art Pencek said that Mark Paradise was at the Planning Commission meeting and presented informal sketch plans which were similar to those presented two years ago, and for which he received all zoning approvals. Mr. Paradise, who owns the property, assured the Planning Commission that he would leave the project better than before he started. Art said that Mr. Paradise has always worked well with the Borough and received all approvals required and followed the ordinances as written. Marc Gaughan said that a formal landscaping plan will be submitted in the future, and that a Soil and Erosion plan will also need to be submitted. Art said that Mr. Paradise will make a determination after all approvals are received

as to whether or not he will keep the woodlot, however it is his intention at this point to keep it in place.

Mark Paradise thanked Borough Council for its confidence in him. He said that he submitted plans two years ago for informational purposes only and received zoning approvals. He still has many approvals from other agencies to receive before he can begin the project. There will be two three story buildings for individuals 62 and older. Rent is decided on income.

Frank Goryl said he spoke to Mark Paradise and Patrick McLane in the past and is not opposed to variances received but wants to make sure that the woodlot is preserved especially since Moscow is a Tree City. He said there is no ten foot buffer zone at Academy Gardens. Art Pencek said those apartments were put in many years ago and a buffer zone was not a requirement at that time. Frank wanted to know how you can go back five years to have a developer follow the ordinance. Art said Mark Paradise is very diligent in following the ordinance so there will be no problems in the future.

Minutes of the October 17, 2016 meeting: Rose Warner made a motion to accept the minutes of the October 17, 2016 meeting as written. Bill Heim seconded the motion. The motion carried unanimously.

Treasurer's Report: Connie Sanko presented the Treasurer's Report for the month of October and lists of bills to be paid from the General Fund and Liquid Fuels Fund. Ed Gaughan made a motion to accept the Treasurer's Report and to pay the bills as presented. Marc Gaughan seconded the motion. The motion carried unanimously with a roll call vote.

Junior Council Persons: Two letters of interest were submitted for the vacant Junior Council position.

Secretary's Report: Council members were invited to a dinner in honor of Dan Edwards to be held at the Elmhurst Country Club on December 2, 2016.

Grants:

- A letter was sent to the Pennsylvania Department of Community and Economic Development regarding a Local Share Grant with Roaring Brook and Elmhurst Townships to pave Gardner Road.
- Marc Gaughan spoke to April Hannon, who is in charge of the Automated Red Light Enforcement Grant, who is still trying to get permission for the Borough to use the remaining funds in the grant

Correspondence: Council members were provided with a letter from the Pennsylvania Department of Environmental Protection regarding Plociniak Oil - Notice of Violation.

Police Report: Chief Brenzel gave the police report for the month of October. There were 115 911 calls and 109 cleared calls.

Building Permits: One zoning and two building permits were issued in the month of October.

Building/Zoning Officer's Report: Council members were provided with a copy of the Findings of Fact and Conclusion of Law for the application to the Zoning Hearing Board for a variance for on site water for Frank Hubbard's Twin Homes Project on Main Street.

Planning Commission: Marc Gaughan reported on the following:

- Frank Hubbard's Highway Occupancy Permit application for the Twin Homes Project was approved by the Pennsylvania Department of Transportation.
- The North Pocono School District will provide a landscaping plan for the tennis courts in the springtime.
- The Pave Cut Ordinance is being reviewed and a new one will be similar to PennDOT's ordinance.
- Mary Liz Donato submitted a letter regarding her revised professional fees

Recreation: Rose Warner reported that she is working on the plans for the Tree Lighting ceremony to take place on December 8, 2016.

Recycling: Monthly Recycling Report for September: 5.16 tons paper; 6.46 tons comingled; 5.08 tons cardboard; 21.18 tons brush; 14 trips to recycling center.

Municipal Building: Art Pencek reported that TruPro Restoration will begin work on remediating the mold problem in the building next week.

Financial Report:

- Budget meeting to be held immediately following Council meeting.
- Bill Heim reported that the TCC meeting was cancelled for November. The next meeting is scheduled for December.

Moscow Sewer Authority:

- Art Pencek reported that Jeff Kozik, alternate Sewer Enforcement Officer, submitted reports for eight houses on Brook Street and Bryant and Scanlon Lanes that were tested; four are unsafe, and four are safe. There was no ecoli detected. The residents were notified to treat their water with Clorox. It is unclear where the pollutants are coming from. Art contacted Gerard Hetman from Lackawanna County and State Representative Mike Carroll's Office to see if there is any assistance available for situations like this. He also advised the residents to contact the Pennsylvania Department of Environmental Protection. Elaine Waskovich said someone installed a storm drain at Dawn Acres which is affecting her property. Art advised Elaine to contact DEP, and that the Borough and Sewer Authority will also contact DEP. He said the Borough is looking for federal funding to help Mrs. Fox to hook up.

Streets: Marc Gaughan reported on the following:

- Harry Andes and Marc will do an inspection of the Stephens Heights and Old Logger Road paving projects.
- This is the last week for leaf pick up, however, if time permits DPW will try to go back next week.
- Art Pencek spoke to Andrew Kaminski, Northeast Prestige about the landscaping on Main Street. Andrew said he will replace plants next year that have already died.

Solicitor's Report:

- Rose Warner made a motion to adopt Ordinance #240 - 2016, an ordinance of the Borough of Moscow, Lackawanna County, Pennsylvania, providing for rules and regulations for the protection and safety of the public using Borough parks and facilities and providing for penalties for the violation of any such rules and regulations. Marc Gaughan seconded the motion. The motion carried unanimously with a roll call vote.

New Business:

- Rose Warner reported that two individuals were interviewed for the Junior Council position and that it is a credit to have youth willing to participate. After some discussion and a tough decision, Rose Warner made a motion to appoint Jack Cherundolo to fill the vacant Junior Council position for a two year term to end June, 2018. Joe Castrogiovanni seconded the motion.
- Art Pencek reported that with the resignation of Dan Edwards that a replacement is needed. Four very well qualified individuals expressed interest in the position, making it a very difficult decision to appoint a replacement. Marc Gaughan made a motion to appoint Rosemarie Warner to fill the vacancy of Mayor for the unexpired term to end December 31, 2017 due to Dan Edward's recent resignation as Mayor. Rose will have to go to John Mercuri's Office to be sworn in or can wait until the next council meeting. Rose thanked everyone for their vote of confidence and said that there is no greater model than Dan Edwards as Mayor. Attorney Zero congratulated Rose on becoming the first female Mayor for Moscow Borough.

Adjournment: Marc Gaughan made a motion to adjourn the meeting. Bill Heim seconded the motion. The motion carried unanimously.

Minutes submitted by Constance Sanko

