

ASHLEY BOROUGH

Donald Sipple, Sr., Mayor

Lisa Wildes, Council Chair
Frank Sorokach, Council Vice Chair
Gerald Maldonado

Brian Casey
Carl Byra
Brian Demchak

Ashleypa.net

Moses & Gelso LLP, Solicitor

BOROUGH COUNCIL MEETING April 13, 2021 – 6:30 P.M.

- (a) Call to Order
- (b) Roll Call
 - Ms. Wildes
 - Mr. Sorokach
 - Mr. Maldonado
 - Mr. Casey
 - Mr. Byra
 - Mr. Demchak
 - Mayor Sipple
 - Chief Fedorczyk
- (c) Pledge of Allegiance
- (d) Council Member Presentations
 - Ms. Wildes
 - Mr. Sorokach
 - Mr. Maldonado
 - Mr. Casey
 - Mr. Byra
 - Mr. Demchak
- (e) Mayor's Presentation
- (f) Chief Fedorczyk's Presentation
- (g) Committee Presentations
 - Finance
 - Police
 - Fire
 - Street

- Personnel
- Sewer
- Light
- Property
- Sidewalks
- Recreation

(h) Legislation

Public Comment – Pending Legislation Only

RESOLUTION 34 OF 2021 – A Resolution to pay the March 2021 Payroll in the amount of \$33,298.93.

RESOLUTION 35 OF 2021 – A Resolution to pay the March 2021 Bills in the amount of \$ \$27,175.75.

RESOLUTION 36 OF 2021 – A Resolution to approve the March 9, 2021 Council Meeting Minutes.

RESOLUTION 37 OF 2021 – A Resolution to approve payment to the Pennsylvania Association of Notaries in the amount of \$99.00 for Lisa Scharer to be trained as a Pennsylvania Notary.

RESOLUTION 38 OF 2021 – A Resolution to approve payment to the Pennsylvania Association of Notaries in the amount of \$20.00 for a Notary Stamp.

RESOLUTION 39 OF 2021 – A Resolution approving Lisa Scharer to receive training from the Pennsylvania Department of Economic and Community Development.

RESOLUTION 40 OF 2021 – A Resolution authorizing the Borough Solicitor to advertise a request for proposals for 1-year, 2-year, and 3-year garbage bids.

RESOLUTION 41 OF 2021 – A Resolution to hire Nasser Appraisal Services, Inc., to perform an appraisal on the property at 8-10 N. Main St., Ashley, Pennsylvania, for a fee of \$850.00.

RESOLUTION 42 OF 2021 – A Resolution to approve the purchase of two picnic tables for Borough Parks from Lowes at a cost of \$119.00 each.

RESOLUTION 43 OF 2021 – A Resolution to authorize the Borough Solicitor to prepare and advertise a Street Cleaning Ordinance.

(i) Public Comment

(j) Adjournment

Resolution Number 46

Date: 2021

BE IT RESOLVED, by the Borough Council of The Borough of Ashley, and it is hereby resolved by the authority of the same.

WHEREAS, pursuant to a request made by the Pennsylvania Department of Transportation, The Borough of Ashley by and through the Borough Council, wishes to confirm and acknowledge its control and maintenance of a right-of-way within the Borough known as Fall Street; and

WHEREAS, the Borough of Ashley hereby confirms, acknowledges and verifies that it receives and/or collects liquid fuel funds as a result of its ownership and/or control of Fall Street; and

WHEREAS, the existence of Fall Street as a public right-of-way is further supported by and in accordance with a map titled "Building Lots Ashley and Maffets Patch" by the Lehigh and Wilkes-Barre Coal Company dated May 16, 1893, in the offices of the Mining Engineering Department in Wilkes-Barre, PA in Vault F-307-8/11, a copy of which is attached hereto and marked as Exhibit "A" and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ashley, and it is hereby resolved by the authority of the same as follows:

Fall Street has been, is, and continues to be public right-of-way owned and/or controlled and maintained by the Borough of Ashley.

Lisa Wildes
Ashley Council President

4-13-2021

Resolution Number 47

Date: 2021

BE IT RESOLVED, by the Borough Council of The Borough of Ashley, and it is hereby resolved by the authority of the same.

WHEREAS, pursuant to a request made by the Pennsylvania Department of Transportation,

The Borough of Ashley by and through the Borough Council, wishes to confirm and acknowledge its control and maintenance of a right-of-way within the Borough known as Cook Street; and

WHEREAS, the Borough of Ashley hereby confirms, acknowledges and verifies that it receives and/or collects liquid fuel funds as a result of its ownership and/or control of Cook Street; and

WHEREAS, the existence of Cook Street as a public right-of-way is further supported by and in accordance with a map titled "Building Lots Ashley and Maffets Patch" by the Lehigh and Wilkes-Barre Coal Company dated May 16, 1893, in the offices of the Mining Engineering Department in Wilkes-Barre, PA in Vault F-307-8/11, a copy of which is attached hereto and marked as Exhibit "A" and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ashley, and it is hereby resolved by the authority of the same as follows:

Cook Street has been, is, and continues to be public right-of-way owned and/or controlled and maintained by the Borough of Ashley.

Lisa Wilder
Ashley Council President

4-13-21

ASHLEY BOROUGH

Donald Sipple, Sr., Mayor

Lisa Wildes, Council Chair
Frank Sorokach, Council Vice Chair
Gerald Maldonado

Brian Casey
Carl Byra
Brian Demchak

Ashleypa.net

Moses & Gelso LLP, Solicitor
**ASHLEY BOROUGH COUNCIL MEETING
SUMMARY MEETING MINUTES
APRIL 13, 2021**

Attendance:

Lisa Wildes – Present
Frank Sorokach – Present
Gerald Maldonado – Present
Brian Casey – Absent
Carl Byra – Present
Brian Demchak – Absent
Mayor Donald Sipple, Sr. – Present
Police Chief David Fedorczyk – Present
Peter John Moses, Esq. for Solicitor Moses & Gelso LLP – Present

Meeting was called to Order by Attorney Moses. Attorney Moses called roll for the Council, Mayor and Borough Officials. The Pledge of Allegiance was recited by all.

COUNCIL AND BOROUGH OFFICIAL PRESENTATIONS

Lisa Wildes – Ms. Wildes began by indicating she spoke with Dave Watkins regarding the property at 6260 S. Main St. The fire and police departments have executed the required paperwork, and now Council needs to reach out to Reilly Engineering to obtain a determination regarding the state of the property.

Additionally, Ms. Wildes indicated the Family Dollar Parking Lot is in poor condition with tires and refuse throughout. Dave Watkins responded that it is likely due to the methadone clinic in that area and that he would send them a letter.

Frank Sorokach – Nothing for this meeting.

Gerald Maldonado – Mr. Maldonado began by returning to the issue of the fence at the Main St. Park. The fence is still not repaired. Mr. Byra indicated he will get it repaired this week.

Additionally, Mr. Maldonado stated that the swings at the park have significant ponding in and around them. Mr. Byra stated that will be rectified once mulch has been laid down.

Mr. Maldonado also provided an update on the street section between Fall St. and Cook St., informing Council that residents cleaned one side but the other side is still in poor condition. Ms. Wildes responded that the Street Department was responsible for cleaning one side, not the residents.

Further, Mr. Maldonado indicated the Borough requires no dumping signs and posts from the Street Department to stop people from throwing garbage in that area. Mr. Sorokach replied the dumping may be due to people throwing garbage from Interstate 81. Mr. Maldonado responded that it is unlikely due to the speed cars are traveling.

Lastly, Mr. Maldonado asked about the expenses incurred by the Ashley Economic Development Authority that amounted to approximately \$20,000.00. Attorney Moses addressed this issue by stating that the Authority did not conduct audits so there is no record of expenditures, but it is his belief that the majority of expenses were likely Solicitor Fees. Mr. Maldonado asked Attorney Moses to follow-up to determine the nature of the expenses.

Brian Casey – Not Present.

Carl Byra – Mr. Byra requested the Finance Committee schedule a meeting in the near future to discuss financing related to a fire truck which will result in savings to the Borough,

Brian Demchak – Nothing for this Meeting.

Mayor Donald Sipple, Sr. – Nothing for this Meeting.

Chief Fedorczyk – Chief Fedorczyk read the Police Chief's Report (a copy of which is attached hereto and made a part hereof).

Additionally, Chief Fedorczyk requested Council act on a request for a handicapped parking space at 87 Carey St.

Dave Watkins – Mr. Watkins reported that in March 2021 he performed 10 occupancy inspections, posted 3 units – 6260 S. Main, 83 N. Main and an apartment near S&J. He issued 5 citations and shut down 2 jobs for lack of a permit.

Mr. Watkins also indicated that the sidewalk cuts discussed at the last work session will be repaired soon. Mr. Sorokach also thanked Mr. Watkins for his quick response to a yard waste issue.

Attorney Moses informed the public that Council met briefly in executive session tonight to discuss a potential litigation issue.

COMMITTEE REPORTS

None.

PUBLIC COMMENT – PENDING LEGISLATION

No Public Comment.

LEGISLATION

RESOLUTION 34 OF 2021 – A Resolution to pay the March 2021 Payroll in the amount of \$33,298.93.

Motion: Lisa Wildes
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 35 OF 2021 – A Resolution to pay the March 2021 Bills in the amount of \$27,175.75.

Motion: Carl Byra
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 36 OF 2021 – A Resolution to approve the March 9, 2021 Council Meeting Minutes.

Motion: Frank Sorokach
Second: Gerry Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 37 OF 2021 – A Resolution to approve payment to the Pennsylvania Association of Notaries in the amount of \$99.00 for Lisa Scharer to be trained as a Pennsylvania Notary.

Motion: Lisa Wildes
Second: Gerry Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 38 OF 2021 – A Resolution to approve payment to the Pennsylvania Association of Notaries in the amount of \$20.00 for a Notary Stamp.

Motion: Frank Sorokach
Second: Gerry Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 39 OF 2021 – A Resolution approving Lisa Scharer to receive training from the Pennsylvania Department of Economic and Community Development.

Motion: Carl Byra
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 40 OF 2021 – A Resolution authorizing the Borough Solicitor to advertise a request for proposals for 1-year, 2-year, and 3-year garbage bids.

Motion: Frank Sorokach
Second: Gerry Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 41 OF 2021 – A Resolution to hire Nasser Appraisal Services, Inc., to perform an appraisal on the property at 8-10 N. Main St., Ashley, Pennsylvania, for a fee of \$850.00.

Motion: Lisa Wildes
Second: Carl Byra

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 42 OF 2021 – A Resolution to approve the purchase of two picnic tables for Borough Parks from Lowes at a cost of \$119.00 each.

Motion: Frank Sorokach
Second: Carl Byra

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 43 OF 2021 – A Resolution to authorize the Borough Solicitor to prepare and advertise a Street Cleaning Ordinance.

Motion: Frank Sorokach
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 44 OF 2021 – A Resolution to authorize the Borough Solicitor to advertise the sale of the property at 8-10 N. Main St., Ashley, Pennsylvania, by sealed bid.

Motion: Frank Sorokach
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 45 OF 2021 – A Resolution to authorize the Borough Solicitor to advertise an Ordinance of Council restricting parking on portions of South Main Street from the intersection of Coalville Street to the intersection of Coulter Street.

Motion: Lisa Wildes
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 46 OF 2021 – A Resolution, pursuant to a request made by the Pennsylvania Department of Transportation, that Fall Street has been, is, and continues to be a public right-of-way owned and/or controlled and maintained by the Borough of Ashley.

Motion: Frank Sorokach
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 47 OF 2021 – A Resolution, pursuant to a request made by the Pennsylvania Department of Transportation, that Cook Street has been, is, and continues to be a public right-of-way owned and/or controlled and maintained by the Borough of Ashley.

Motion: Frank Sorokach
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak –
Brian Casey –

PASS

RESOLUTION 48 OF 2021 – A Resolution to approve a handicap parking space at 87 Carey St. for Edward Salsavage.

TABLED.

PUBLIC COMMENT

No Public Comment.

MEETING ADJOURNED