

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
AUGUST 9, 2018** **PAGE ONE**

**CALL TO ORDER TIME:** 7:31 p.m.

**PLEDGE OF ALLEGIANCE:** Led by: Gerald Yozwiak

**ROLL CALL:** Present: Peter J. Biscontini, Esq., Ciro Cinti, Robert Sax, Thomas Shubilla, Gerald Yozwiak. Also present: Attorney Stephen Menn and Patricia Sluhocki.

**Secretary Read:**

The Sunshine Act requires that those in attendance be given the opportunity to comment before a vote is taken. Anyone wishing to comment on an issue is encouraged to notify the Board prior to roll call being taken on that issue. The Township policy is to limit comment to five minutes. Anyone requiring additional time is encouraged to make arrangements to meet with the Board at a later date. Additionally, all correspondence read or referred to is available at the North Main Street Municipal Building for public inspection during regular business hours. Note that the meeting is being recorded. At this time please turn off any cell phones to avoid disrupting the meeting.

**GENERAL ORDER OF BUSINESS**

Motion to accept: **Minutes:** The Board of Commissioners Regular Meeting of July 12th; Planning Commission Meeting of June 7, 2018, Wyoming Valley Sanitary Authority Meeting of June 26<sup>th</sup>; Plains Sewer Authority Meeting of June 8<sup>th</sup>. **Monthly Reports** of the Police Department for July, Secretaries Report for July. **Payrolls** of the Administrative, Zoning Office, Department of Public Works and Recreation Departments. Also the **Treasurers Report** – General Fund Checking Account Receipts \$256,245.60 General Fund Checking Account Disbursements \$839,004.45. Total Ending Balance in the General Fund Checking as of 7/31/2018 - \$2,377,117.69. **BY: Cinti 2ND: Sax For: Biscontini, Cinti except Recreation payroll for family relations, Sax, Shubilla and Yozwiak. Motion Carried.**

**CORRESPONDENCE - None**

**COMMITTEE REPORTS**

**POLICE – Biscontini** thanked all departments, vendors for making National Night Out a success. Traffic Citations are up to 75 for this month. When he became in charge of the police department, wanted to cut down on the speeding on Routes 315 and 115 and the trucks with illegal weights. Thanked the department.

**FIRE – Sax** thanked the department for coming out for National Night Out. Our department was out there talking about fire safety.

**DPW – Shubilla** reported that the department is cutting grass and other jobs. Last meeting we bid out 10 catch basins for repairs and waiting for the bids to come back. The WVSA will be doing 4 additional catch basins. CBS had a great story on recycling and how our recycling is not clean. Asked residents to make sure their recycling is clean.

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**RECREATION** – **Cinti** reported that the Camp is over with another successful year. Every day had between 50 and 55 kids. The last day had a party about 75 kids attended. Thanked Police, Fire and DPW who all came up and gave a presentation to the kids.

**Yozwiak** commented that Plains runs pretty good programs with the camp, Plains Yankees, Little League and Soccer. Also on co-mingled recycling, China was accepting 900 lbs. of garbage now they are accepting 90 lbs. Electronics Recycling event will be held November 17<sup>th</sup>.

Resident asked why we don't accept Styrofoam. **Dave Willis** noted that UPS store in Kingston takes Styrofoam. Also **Yozwiak** talked to the residents on fraud. FedEx and UPS do not make phone calls about dropping off packages. Check with FedEx and UPS, check bank accounts, everyone is susceptible to fraud these days from scammers.

**OLD BUSINESS - None**

**NEW BUSINESS**

Motion to pay **General Fund Bills:** Utility \$25,182.16 Regular \$146,869.61 Total \$172,051.77. **BY: Shubilla 2<sup>nd</sup>: Biscontini For Biscontini, Cinti For, except abstain from Assured Partners bill for business relations, Rob – For except abstain from GBM bill, due to employment, Shubilla, Yozwiak. Motion Carried.**

Motion to request a police traffic study for stop signs on both ends of Wintersteen Lane (Formerly Rear Maffett Street). **BY: Shubilla 2ND: Sax All For Motion Carried.**

Motion to request a police traffic study for No Parking here to corner on the corner of Perkins and Catherine Streets. **BY: Cinti 2ND: Biscontini All For Motion Carried.**

**SOLICITORS REPORT**

Motion to present a proclamation to the Plains United Methodist Church recognizing their 175<sup>th</sup> Anniversary. **BY: Biscontini 2ND: Shubilla All For Motion Carried.**

Motion to authorize the solicitor to advertise a public hearing for proposed amendments to the zoning ordinance. **BY: Sax 2ND: Cinti Karen Rubasky** questioned what the amendments are. **Menn** said he would send her copies. **All For Motion Carried.**

Motion to adopt a resolution authorizing application for a Multimodal Transportation Fund Program Grant for the WBASD SR309 Ramp Project. **BY: Cinti 2ND: Biscontini All For Motion Carried.**

Motion to adopt a resolution authorizing application for a Multimodal Transportation Fund Program Grant for the WBASD Access Project. **BY: Shubilla 2ND: Sax Ben Hoon** asked what this is for. **Yozwiak** replied they looking for a grant for access to the new school. **All For Motion Carried.**

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Motion to adopt a resolution authorizing application for a Multimodal Transportation Fund Program Grant for the WBASD Main & Abbott Street Signal Project. **BY: Biscontini 2ND: Cinti** noted that this would be for a light on the corner at the intersection and well needed for many years. **All For Motion Carried.**

Motion to reject the single bid and authorize secretary to re-advertise for the Plains Twp. CDBG-DR Contract 2 (Summer 2018) Structure Demolition Project. Noted by **Menn** that we only received one bid and this is down in Plainsville. **BY: Sax 2ND: Cinti All For Motion Carried.**

Motion to award the bid for the Plains Twp. CDBG-DR Contract 1 (Summer 2018) Environmental Abatement to Datom Products, Dunmore in the amount of \$11,900.00. Noted that this is down in the flats. **BY: Cinti 2ND: Biscontini Yozwiak** also noted that this Community Development money, not coming from Plains Township. **All For Motion Carried.**

Motion to adopt an ordinance to borrow \$100,000 as General Obligation Notes, Series 2018-A. for the new DPW Garage. **BY: Shubilla 2ND: Sax Ben Hoon** asked where this is. **Yozwiak** replied that this is behind the present recycling center garage. **Shubilla** added DPW will be consolidated into one building. **All For Motion Carried.**

Motion to ratify a Certification Request for Payment to Brozena Consulting Services, LLC Invoice # 8 in the amount of \$7,450.00 from the Luzerne Co. OCD Disaster Recovery Buyout Program. **BY: Biscontini 2ND: Cinti All For Motion Carried.**

Motion to adopt a resolution to apply for and submit an application to Luzerne Co. Community Development for a project under the 2019 Municipal Capital Improvement Project Grant Program. **BY: Shubilla 2ND: Sax All For Motion Carried.**

Motion to adopt an ordinance amending the Regulation on Disabled, Inoperable and/or Unattended Vehicles. Noted this will be from 60 to 10 days. Question from the audience asking where this pertains to. Board answered vehicles on the street. **BY: Cinti 2ND: Shubilla All For Motion Carried.**

Motion to adopt an ordinance for the Size, Weight and Type of Vehicles on Bailey Street. This restricts certain size vehicles on Bailey Street excluding residential deliveries. **BY: Biscontini 2ND: Shubilla All For Motion Carried.**

Motion to adopt an ordinance amending Ordinance No. 4 – 2008 and Ordinance 2-2018 for the Regulation of Mining and Quarry Operations within the Municipality. Amendment for the hours of operations on Mining will be extended beyond normal hours for contracts on local, state and federal contracts. There is also a penalty of violation clause in there. **BY: Shubilla 2ND: Cinti Bernie Prevuznak** asked if we are going back to the original ordinance that was passed in November 2008. **Cinti** there is also a penalty in the ordinance as well. **Menn** as long as they can show that they have proof of the government contracts, they are allowed to work beyond the normal hours.

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**TAXPAYERS CONTINUED:**

**Prevuznak** so you are just asking for notification of after-hours work. **Angeli** noted that if they didn't have federal, state or local contracts they wouldn't be working. **Menn** explained the ordinance amendment and how blasting is covered under state law. **Angeli** said they are working 5 or 6 in the morning. **Prevuznak** asked why this ordinance was passed in 2008. **Menn** this was written for American Asphalt issues that we had at the time. State has made a determination that it is more convenient to do night work and inconvenient a few instead of inconveniencing the driving public. **Prevuznak** we are the few that are inconvenienced and we pay a lot of taxes which will be going up with the new school coming in. **Cinti** our taxes have not been raised in 10 years. **Menn** no matter what we do with this ordinance, it is not going to change what is going on at the quarry. Meeting with the quarry is how these things are going to get resolved. We are trying to make it clear. **Shubilla** they will be reporting to us now and we did not have that before. **Prevuznak** still not happy with this amendment. **Angeli** the operation is moving closer and closer to our development. **Shubilla** when we met with them on Monday we talked about reducing the frequency to reduce the noise. **Woloski** you are passing the ordinance that allows them to work 365 days a year. We are looking for some peace and quiet. Discussion and explanation from **Menn**. **Mike Bart** from New Enterprises Stone spoke to audience and told residents to just call if there are any complaints. **Roll Call: Against: Biscontini** commented that the ordinance, as drafted, was unnecessary and we should have kept the old ordinance and simply increased the fine, **Cinti, Sax, Shubilla and Yozwiak. All Against. Motion Denied.** **Menn** noted that the other ordinance amendment is still in effect.

**ANNOUNCEMENTS by Yozwiak:** The next regular meeting of the Board of Commissioners will be held September 13, 2018 at 7:30 P.M. The Administrative, DPW and Zoning offices will be closed on Monday, September 3<sup>rd</sup> in observance of the Labor Day Holiday. Residents with Monday garbage collection will have their garbage picked up on Tuesday, September 4<sup>th</sup>. Residents are also reminded that there will be an 8 bag limit the week after the holiday during the collection week of September 3<sup>rd</sup> through September 6<sup>th</sup>. All other schedules remain the same.

**Charles Krommes, EMA Director presented a Certificate of Appreciation to the Board of Commissioners from Luzerne Co. EMA for their continued support. Krommes thanked, Jim Brozena, the Board and Patty for their efforts.**

**Information Session with Representatives of Wyoming Valley Sanitary Authority regarding upcoming fee on bills pertaining to MS4 Regulations. Jim Tomaine had a presentation on MS4.**

**TAXPAYERS**

**Ben Hoon** – Complaint about a catch basin on the corner of Stanton and School Streets. Started out as a small hole now it has gotten bigger. **Yozwiak** this is one that the Wyoming Valley Sanitary Authority is going to do through the MS4 program. **Hoon** suggests to have DPW do it and bill the Wyoming Valley Sanitary Authority since it is one that is on the list for them to do.

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**TAXPAYERS CONTINUED:**

**Yozwiak** suggested to get a metal plate and have DPW put that down temporarily. **Shubilla** thought that it would be fixed soon. **Hoon** also asked why the minutes have not been posted on website since April. **Secretary** assured him that they will be updated.

**Bernie Prevuznak** – Thanked the Board for not voting on the ordinance amendment. Publicly apologized for his statement about taxes being raised by Plains Township in ten years. Made it known that through his meeting with New Enterprise Stone & Lime that they are looking to doing things differently to help with our complaints. They are looking into adjusting the frequencies. I brought up safety issues and they said they will evaluate them with possibly a fence and finally the expansion. They are going to try to minimize by building a mound of vegetation. Understands that the expansion was approved by DEP years ago. The only thing that could be done would be on the state level and has Yudichak looking into the issues that are on the state level such as maintaining a boundary at least 100' from a cemetery and 300' from a residence. The state mandates are almost 50 years old.

**ADJOURNMENT BY: Cinti 2ND: Shubilla All For Motion Carried. TIME: 9:15 P.M.**

**Respectfully Submitted,**



**Patricia Sluhocki  
Secretary**

**Accepted By,**



**Gerald J. Yozwiak  
Chairman**