

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
FEBRUARY 9, 2023**

**PAGE ONE**

**CALL TO ORDER TIME:** 7:00 P.M.

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

**ROLL CALL:** Peter J. Biscontini, Esq., Ciro Cinti, Robert Sax, Thomas Shubilla, and 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:** Board of Commissioner Regular Meeting of January 12th; Plains Township Planning Commission Meeting of January 5th; Plains Township Recreation Board Meeting of January 9th; Wyoming Valley Sanitary Authority Meeting of December 13th. **Monthly Reports:** Police Department for January; Fire Department for January; EMA Coordinator for January; Zoning Permits Issued for January; Contractor Licenses Issued for January; Secretaries Report for January. **Payrolls** of the Administrative, Zoning Office, Department of Public Works and Recreation Departments. The **Treasurers Report for January;** General Fund Receipts **\$184,725.78;** General Fund Disbursements **\$672,261.72;** Total Ending Balance in the General Fund as of **1/31/2023 \$934,504.18.** **BY: Cinti 2ND: Biscontini**  
**All For Motion Carried.**

**CORRESPONDENCE**

**COMMITTEE REPORTS**

**POLICE – Biscontini** commended the police department for their response to the shooting a few days ago at Junior's mini market. Suspect was quickly arrested. Reminded everyone of internet scams. It was a busy month in the department with their responses. Ideas in the works to get more officers to apply to the department.

**FIRE – Sax** reported that we had 97 fire calls. 21 Captains calls for a total of 118 calls. Still have smoke detectors available that will be installed free of charge. To date we have installed 153 detectors.

**DPW – Shubilla** still has been busy even though we have been blessed with lack of snow. They collected 210 tons of garbage.

**RECREATION – Cinti** reported still collecting pavilion rentals which can be received at the Town Hall. Still looking for summer employment for the parks and DPW. Any graduating high school or college student could apply.

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
FEBRUARY 9, 2023**

**PAGE TWO**

**CHAIRMAN MESSAGE** – **Yozwiak** again reminded everyone of scams out there. Keep a vigilance on your accounts. A lot of theft out there.

**Biscontini** added that we will be resurrecting the crime watch program, doing it quarterly. Will be announcing the date in the spring. We will be advertising it on Facebook and in the paper.

**OLD BUSINESS**

**NEW BUSINESS**

Motion to authorize payment of the **General Fund Bills** consisting of the **Utility Bills \$25,642.72; Regular Bills \$191,903.25 Total \$217,545.97. State Aid Account Bill: Cargill Salt \$7,448.13. BY: Sax 2ND: Shubilla For: Biscontini, Cinti except abstain from Assured Partners Bill for business relation, Sax, Shubilla, Yozwiak. Motion Carried.**

Motion to authorize the engineer to prepare and advertise the construction of a new DPW Salt Storage Building. **BY: Shubilla 2<sup>ND</sup> Cinti All For Motion Carried.**

Motion to advise the Police Department 2008 Dodge Durango SUV on Munibid.  
**BY: Biscontini 2ND: Sax All For Motion Carried.**

Motion to authorize payment application No.1 of the West Stanton Street Stormwater Project in the amount of \$25,853,54 to Belles Property Management, LLC and authorize execution of Change Order No. 1 for an increase of \$7,867.25. **BY: Cinti 2ND: Shubilla All For Motion Carried.**

**SOLICITORS REPORT**

Motion to award the Back-Up Salt bid for the 2023-2024 season to Eastern Salt Company for the low bid of \$89.90 per ton delivered. **BY: Sax 2ND: Biscontini All For Motion Carried.**

Motion to authorize the execution of a Stormwater Management Easement Agreement with WVSA for the construction of a wet pond in the Municipal Park pending solicitor review and approval. **BY: Shubilla 2ND: Cinti All For Motion Carried.**

Motion to advertise the sale of Township owned properties located at 1-3 Center Street and 58 St. James Street. And also to get appraisals on these properties. **BY: Sax 2ND: Biscontini All For Motion Carried.**

Motion to enter into a 3-year agreement with Municipal Recovery for the disposal of delivered recyclables pending solicitor review and approval **BY: Cinti 2ND: Shubilla All For Motion Carried.**

Motion to authorize execution of an agreement with Guide Customer Success for a Wellness Solution pending solicitor review and approval with an annual cost of \$3,240.00  
**BY: Biscontini 2ND: Sax All For Motion Carried.**

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
FEBRUARY 9, 2023** **PAGE THREE**

Motion to authorize the engineer to do an engineering study for weight limits on Sunset Drive. **BY: Shubilla 2ND: Cinti Question by Sara Woolard** asked if this has to do with the proposed Motus Commercial development project. **Menn** explained that this is a motion about the road and what kind of traffic it could take. The engineer will determine the condition of the road now and what it would be able to handle in the future. Board explained that the engineer is going to do a study of the road. **All For Motion Carried.**

Motion to authorize the solicitor to prepare and advertise an ordinance regarding any restrictions as of a result of an engineering study on Sunset Drive. **BY: Sax 2ND: Biscontini All For Motion Carried.**

Motion to authorize the solicitor to prepare and advertise an ordinance creating and establishing a Land Bank Authority. **Menn** this is something you get into with other municipalities dealing with blighted properties. **BY: Cinti 2ND: Shubilla All For Motion Carried.**

Motion to award the bid for the Haines Street Drainage Improvements Project to Stell Enterprises for the low base bid of \$221,294.00 and authorize the commissioners to execute appropriate easement agreements with the property owners. **BY: Biscontini 2ND: Sax All For Motion Carried.**

**ANNOUNCEMENTS by Yozwiak:** The next regular meeting of the Board of Commissioners will be held March 9, 2023 7:00 P.M. The Administrative Office, Zoning Office and DPW will be closed on Monday, February 20<sup>th</sup> in observance of the Presidents Day Holiday. Residents with a Monday garbage pick-up will have pick-up on Tuesday, February 21st. All other schedules will remain the same.

**TAXPAYERS**

**Mr. Rodeghiero** – Here to make sure the commissioners are aware of the warehouse they want to build in Jenkins Township. Access road would be from Sunset Drive. Asked the board if that is the reason they are doing this engineer survey is because of this warehouse. **Yozwiak and Menn** acknowledged yes. **Rodeghiero** asked if the Township has been approached by Jenkins Township. **Yozwiak** replied that Township has not been approached by Jenkins Township. We received a letter from Bonnie Phillips and our zoning officer has been at a meeting there. **Menn** we aware of this potential project and that our road potentially be used for a lot of truck traffic. We are concerned that this road has not been properly prepared for that type of truck traffic. We want to know from the engineer everything about this road as it is now. We will discuss the results of the study if it says we need to limit the truck traffic to a certain size truck. We still allow emergency vehicles, school buses and local deliveries. Where a more commercial size truck will cause more damage to our road that we have to maintain and also the safety aspect of this road. **Rodeghiero** but you don't mention Jumper Road or Westminster Road which also will be effected. **Menn** said the problem with that is they are state roads and we have no control over state roads. We have a concern about those roads but the state would have to do a study. **Rodeghiero** Asked Jenkins Township if Sunset Drive could handle 1-2 tractor trailers every minute, 1000 a day and did not get an answer. It's almost impossible to get on 81 north between 3-6:30 P.M. Tractor trailers are going to be backed up trying to get on 81. **Menn** we could only do something on roads if they are owned by the Township. **Cinti** we will be at that meeting and you will see our support there.

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
FEBRUARY 9, 2023**

**PAGE FOUR**

**Rodeghiero** lives on Westminister Road, fifth generation. He doesn't want this project there because it will be right behind his house. He doesn't want the trees cut down, he doesn't want the environment back there damaged, doesn't want to see lights from warehouses, doesn't want to see tractor trailers coming down Westminister Road or Jumper Road. This is going to be one long traffic jam. Doesn't want to smell diesel fuel 24 hours a day. All of this impeding on his livelihood. **Biscontini** asked if Borton Lawson hired to do anything with that warehouse? Just so we don't have a conflict because Borton Lawson is our engineer who will be doing the study. **Yozwiak** will find out.

**Sara Woolard** - After hearing everything said here tonight, she appreciates the Boards support. Asked if this is going to be our only opportunity to address this issue with Plains Township?

**Shubilla** you can come to any meeting but we have very little to do with the project itself. We can deal with the road. There is a corner that is in Plains Township. **Karen Rubasky** explained the zoning districts that are in Plains Township. **Rodeghiero** said they will need an emergency exit which is probably going to be Westminister Road. **Yozwiak** asked if he has talked to his state rep.

Eddie Day Pashinski is our rep now and we just met with him. We will talk to him as well. Your rep is Haddock who was just elected. **Menn** if anything is happening as far as this project with Plains Township, you would know about it. It hasn't happened yet. We are not aware of anything happening in Plains Township other than that they may be using Sunset Drive for that access. **Rodeghiero** there are two bridges that cross Westminister Road. One was built 10 years ago and one is in dire need of repair. The weight limit is like two tons. Also he asked developer what is going to be stored in these warehouses. They told me that they don't know. **Biscontini** asked if they are going to use Westminister Road, wouldn't they need a HOP?

**Yozwiak and Menn** answered yes they would. **Rodeghiero** Jenkins does nothing for the little village of Westminister. Asking the Board to use their persuasion to deny the access. **Cinti** will be attending the meeting not in support of this project. **Woolard** has a copy of the Jenkins Township application with a map and it does have Plains Township on it. **Sax** we are all concerned about this. He found out from the newspaper. Jerry found out from a letter that a resident gave him. **Menn** said probably the reason for that is that 99% of this is in Jenkins Township. They need that approval first. **Woolard** they are projecting 1 to 2,000 trucks per day and 600 worker vehicles regardless of the study, we should not be subject to that amount of traffic. We have quality of life concerns. **Menn** when you talk about worker vehicles, they wouldn't be subject to weight restrictions. **Woolard** also safety on the road, her neighbor is elderly with health conditions. She measured from pole to pole below the 81 underpass it is 40'. Average tractor trailer is 8 ½ feet wide, so two trucks going side by side through there will be tight. **Yozwiak** a regular traffic study is very expensive. We are doing an engineering assessment of Sunset Drive. There is eight houses back there. **Woolard** lastly these eight families bought there homes because it is quiet back there and we want to maintain that quality of life. All that traffic is just unacceptable. We have children under the age of five that live there and play on our road. Will this access have to be approved by Plains Township or Penn Dot? **Menn** Sunset Drive is a public road. It already has access for anyone to use publicly. They do not need a HOP for Sunset Drive. Also the residents may have to hire their own lawyer. You may have a standing as a resident and property owner to take action. **Rodeghiero** that property was always conservation. He asked Jenkins when was it changed and they told him some time in the 1990's and why was it changed. Should leave it residential and collect tax money on the property. They will probably give them a ten-year tax break. We are tired of warehouses.

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
FEBRUARY 9, 2023**

**PAGE FIVE**

**Alex Cerep** stated that what everyone needs to understand that the most important meeting is the one on the 26<sup>th</sup>. It all comes down to the zoning. The developer has money to bring the roads up to the standards. Could also claim a hardship because of quality of life. If the zoning gets changed. All bets are off. Everything rides on the meeting of February 26<sup>th</sup>. Discussion held on Jenkins Township Planning and Zoning. **Menn** only one thing he disagrees with him is about is that if they don't get their zoning, that doesn't preclude them from proceeding. They could move forward for a variance request. The issues that you bring up may become more relevant in a variance hearing. Somebody has to make a decision there. **Board** is not in favor of this and will be at the Jenkins Township meeting on the 26<sup>th</sup>. **Cerep** also asked the Board to school the zoning solicitor and zoning hearing board on what needs to be done with this development so that they are prepared. **Menn** our zoning board members are offered the opportunity to take webinar training to learn more about zoning. Laura the zoning solicitor is very capable. **Troy Shaver** spoke from audience about his concerns are of tractor trailers on Route 81, property taxes and property values. Feels this will depreciate his property value. **Menn** the Township doesn't assess your property value, the county does and you always have the right to appeal your taxes.

**ADJOURNMENT BY: Cinti 2ND: Yozwiak All For Motion Carried TIME: 8:04 P.M.**

**Respectfully Submitted,**



**Patricia Sluhocki**  
**Secretary**

**Accepted By,**



**Gerald J. Yozwiak**  
**Chairman**