

**MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF  
APRIL 11, 2024** **PAGE ONE**

**A. CALL TO ORDER TIME:** 7:15

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

**C. ROLL CALL:** Peter J. Biscontini, Esq., Ciro Cinti, Robert Sax, Thomas Shubilla, Gerald Yozwiak.

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.

**D. GENERAL ORDER OF BUSINESS**

Motion to accept: **Minutes:** Board of Commissioner Regular Meeting of March, Plains Township Sewer Authority Meeting of February, Wyoming Valley Sanitary Authority Meeting Minutes for February, Recreation Board meeting minutes for April, **Monthly Reports:** of the Police Department; Fire Department, EMA and DPW for March, Zoning Permits and Contactor licenses Issued and Secretaries Report for March. **Payrolls** of the Administrative, Zoning Office, Department of Public Works and Recreation Departments. The **Treasurers Report for March:** General Fund Receipts in the amount of **\$589,355.41** General Fund Disbursements **\$870,862,72;** Total Ending Balance in the General Fund as of **03/31/2024 \$831,305.09.** **BY: Cinti 2ND: Biscontini Roll Call: B C SA SH Y**

**E. CORRESPONDENCE – None**

**F. COMMITTEE REPORTS**

**POLICE –**

**FIRE –** 107 Fire Calls 57 Captains Calls

**DPW –** Pot holes Yard waste starts curbside April 29<sup>th</sup> to November 21<sup>st</sup> WVSA will be doing Street Cleaning week of April 22<sup>nd</sup>

**RECREATION –** The parks have Little League, Baseball, Softball, Soccer all going on so watch for practices and kids playing. The flyers will be going out for our 10<sup>th</sup> year of Summer Camp. We have a lot of agencies that come out to see the kids Camp will start June 13 and end July 31<sup>st</sup>. We are also looking at maybe getting a new Pavilion from the Lions Club. We are looking for College age / Graduating Seniors to work with the DPW and Recreation department for the Summer

**CHAIRMAN MESSAGE – Be aware of your accounts watch for hacking. Go out and enjoy this weather we have many acres of State forest and conservation areas / Ricketts Glen to visit and see, there is a lot to do out there.**

**G. OLD BUSINESS – none**

**H. NEW BUSINESS**

1. Motion to authorize payment of the **General Fund Bills** consisting of the **Utility Bills \$24,832.47; Regular Bills \$248,491.68; Total \$273,324.15. (Cinti abstain for Assured Partners and Michael Cinti Bill) BY: Shubilla 2<sup>nd</sup>: Sax All for, motion carried**
2. Motion to re-hire Gannon Redding as recreation department summer help at the rate of \$11.00 per hour effective May 20, 2024 **BY: Biscontini 2<sup>nd</sup>: Shubilla All for, motion carried**
3. Motion to re-hire Abby Lupas as Summer Camp counselor at a rate of \$11.00 per hour as of June 10, 2024. **By: Sax 2<sup>nd</sup>: Cinti All for, motion carried**
4. Motion to authorize a tax refund in the amount of \$57.92 due to overpayment to Michael Toman **BY: Shubilla 2<sup>nd</sup>: Biscontini All for, motion carried**

**I. Solicitors Report:**

5. Motion to award the bid for the 2024-2025 Back-Up Road Salt contract to American Rock Salt Company for the low bid of \$85.50 per ton delivered. **BY: Sax 2<sup>nd</sup>: Shubilla All For, Motion carried**
6. Motion to list 2012 Dodge Durango and Police radio's and shoulder mic's for sale on the Munibid website. **BY: Cinti 2<sup>nd</sup>: Biscontini All for, Motion carried**
7. Motion to authorize traffic study for truck traffic restrictions on Maple Street and for Solicitor to prepare amendments to ordinance if deemed necessary. **BY: Shubilla 2<sup>nd</sup>: Cinti All for, Motion carried**
8. Motion to authorize traffic study for St. Mary Street for no parking and for Solicitor to prepare amendments to ordinance if deemed necessary. **BY: Biscontini 2<sup>nd</sup>: Sax All for, Motion carried**
9. Motion to authorize solicitor to advertise for public hearing concerning liquor license transfer for the premises located at 1492 Highway 315 Plains Township. **BY: Cinti 2<sup>nd</sup>: Shubilla All for, Motion carried**
10. Motion to adopt resolution to authorize sale of 1990 Pierce Rescue Truck to Avoca Fire Department in the amount of \$7,000.00 **BY: Shubilla 2<sup>nd</sup>: Cinti All for, Motion carried**

11. Motion to adopt resolution to authorize sale of 2012 Ford F-550 Crimson 1250 / 300 Mini Pumper, 450 feet of 4" hose, 1 piston intake valve to Essex Fire and Rescue Essex Connecticut, in the amount of \$113,000 and the purchase of a 1998 Spartan SVI Heavy Rescue Truck from Essex Fire and Rescue in the amount of \$75,000. Said sale and purchase are through Signal 5 Fire Apparatus a broker for Essex Fire and Rescue.

**Attorney Menn asked that we postpone this motion at this time: at his recommendation no motion was made.**

**ANNOUNCEMENTS** –The next regular meeting of the Board of Commissioners will be held May 9, 2024.

**J. TAXPAYERS** (Time limit 5 minutes taxpayers must sign in).

**John Zubris – Brought a petition signed by all residents of Sandra Street to ask that the road be paved. He states that the road has bumps and cracks and a small hole that has opened up. That I actually fixed. All of the other roads in that area were fixed awhile back except for Sandra St. and the residents want to know why. The wet pond project that the WVSA is doing on Hill Street involves installing storm drains which will call for digging up more areas of the road and patching it could cause more settling and bumps which would cause more road damage. The bumps in the road may cause problems when transporting bodies to the cemetery. The petition is signed by all of the residents and the last signature is Yantis the funeral director, because there is a problem and we would appreciate if you would check it out.**

**Commissioner Yozwiak – Okay, Thank you, John.**

**J. Zubris – That wetpond project is going fantastic.**

**Comm. Yozwiak – They said they will be done by June of July.**

**Donna Johnson – Maple Street Coccia Ford. She would like to request the right to know report on Coccia Ford expansion, I would like my privacy and my safety back. They basically just took a residential and turned it into commercial.**

**Commissioner Yozwiak – Yes we are glad you are here, Karen, you talked to Joe, can you explain the situation? She did talk to Joe Coccia's nephew?**

**Karen Rubasky – No, Joe Coccia's son-in-law his name is Timothy Slavish – I explained to him that in the zoning ordinance 27-802 regarding auto sales it states that if it abuts a residence a solid wall or attractive fence 6feet in height must be constructed and upkept, and lighting must be faced away from residents. Timothy said that they are not that far into their plan yet. They are not done with the clearing of the area. And I did confirm with an email. So they are aware of what needs to be done with the area.**

**Commissioner Yozwiak – He is aware and will be complying with the ordinance, so if you can just give him some time to finish his project it will be taken care of .**

D. Johnson – I did talk to him too and he did say he would give me a wall of aberdyfi. I don't mind living next to a dealership but how would you feel with the bulldozers. Give me my safety and my privacy

Karen –Coccia is in a commercial district and he is going to cooperate and give you a wall/ fence. It does not state that he has to give you vegetation but he may be willing to do that if he talked to you about it.

D. Johnson - I have that house in the back they are going to but right up to that house. They opened my pool right up for everyone to see.

Commissioner Biscontini – is there a fence around the pool?

D. Johnson – No my pool is grandfathered in it doesn't need one, its above ground and the ladder is not accessible any way.

K. Rubasky – You still need a fence with an above ground pool 48 inches or lower.

D. Johnson – I did have a fence. They took it.

K. Rubasky – Then that's a civil issue between you and Coccia

They took all the stumps and the vegetation and are causing water issues. Luzerne Conservation is doing an investigation.

Commissioner Yozwiak – We will get the report from them when they are done. Are you ok with what he plans to put up between your properties?

D. Johnson – Yeah whatever, if he does it. We have classic cars and when we pull them out people will be coming our way and we need to keep them off our property. I have all mustangs they will be looking at my stuff not theirs.

Comm. Yozwiak – As soon as you can get a call to them and let them know that they are worried about the liability of the openness of their properties. Maybe he can put up rent a fence of something to whatever abuts the cleared areas

D. Johnson -I let him cut my trees down but now everything is just open he should have to put up a fence or a wall and he should have to do something about dirt and the water. There are a lot of walkers and I had someone try to break into the house

The Conservation District will address the water issues. As far as 315 we went to PennDOT and tried to get jake break restrictions and they said no.

Commissioner Shubilla – Temp fence would be nice for now.

Commission Cinti – Did anyone else see Luz Conservation Dist there? 12-30 Maple are affected.

**Nancy Tedick – Just here to reiterate what has been said, and to make sure I'm in a residential district, because it doesn't feel like it. Coccia is in front of me – Coccia is growing quickly – huge massive trucks every day, I know you are doing a traffic study, great but do it on Sunday too, because they are there on Sundays too and then they have to call to deliver and have to wait for someone to come let them in. I'm 24-26 Maple across from the gate that gets parts deliveries at 4AM we have truck traffic that is unbelievable, the trucks turnaround on my lawn, I have called Coccia and a gentleman came over and said we will take care of this and nothing happens. Called again and got no response. I wasn't a huge deal when the trees were there before but now they are gone too. Who's ever job it was to make sure this area stayed residential did not do their job and now living there is a nightmare.**

**Attny. Menn – That's because that parcel is commercial.**

**N. Tedick – That parcel is commercial?**

**Attny. Menn - The parcel where they took the tree**

**N. Tedick Now I have lights from 315 I can see the Bayada sign I have trespasser's there were 60 cars parked there all winter. People cut thru my driveway all the time**

**Commissioner Cinti - Karen – should there be a barrier there too?**

**K. Rubasky - On 315 probably – I have to check**

**N. Tedick - Now its loud all day – loud at night.**

**D. Johnson – Who do we call about all of these car alarms going off?**

**Commissioner Yozwiak – Call 911**

**D. Johnson – what about truck idling and loud music and truck doors slamming**

**K. Rubasky – We don't have a noise ordinance we have a nuisance ordinance**

**Attny. Menn – I'm not sure if those things would be considered a nuisance**

**Commissioner Biscontini – Maybe we should get a meeting with Coccia so everyone can meet**

**K. Rubasky – I will ask about the temporary fence but he still doesn't have a permanent plan so there won't be any permanent fixtures.**

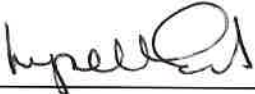
**Tedick - Can't we changed the district**

**Commissioner Yozwiak – That district was zoned commercial probably 75 years ago, there are ways to make small changes but nothing that big**

Attny Menn – We couldn't change that now – they are grandfathered in, unless they close up and leave then MAYBE there would be a way to get it changed.

K. ADJOURNMENT BY: Cinti 2ND: Yozwiak All for, motion carried TIME: 8:15

Respectfully Submitted,

  
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Lynell Ent, Secretary

Accepted By,

  
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Gerald J. Yozwiak, Chairman