

▪ **MINUTES**
 ▪ **Pittston Township**
 ▪ **Board of Supervisors Meeting**
 ▪ **September 26, 2022**
 ▪ **Pittston Township Municipal Building**

Call Meeting To Order 7:00 PM

- Pledge of Allegiance
- Roll Call Slezak _P____ Hawk _P____ Rinaldi _P____

Moment of Silence - passing of Planning Commission member Anthony (Tony) Cook

Police Officer Swearing in ceremony - Brandon Winn

Supervisor/chairman Slezak administered the Oath of Office to Brandon Winn as a full time police officer in Pittston Township. He accepted the position and thanked the Supervisors for their support in naming him to a full time position as a police officer in the Township.

Minutes: minutes of the Supervisors regularly scheduled August 15, 2022 was presented to Supervisors for their review comments and/or corrections.

QUESTIONS/CONCERNS

- **Motion:** To ACCEPT minutes of August 15, 2022
 - Slezak __S__ Hawk __S__ Rinaldi __M__
 Roll Call: Slezak __Y__ Hawk __Y__ Rinaldi __Y__

Supervisors Comments and correspondence

Announcements

ARP Funds - Township received notification and deposit of \$176,242 which is the second installment of the American Rescue Plan enacted by the Commonwealth. Funds can be used for general operations in the Township.

Firemen's Relief - Township received notification and deposit of \$ 26708.31 which is the annual allocation from the Commonwealth of Pa. Funds must be turned over to the Firemen's Relief Association.

Audit of Firemen's Relief Association - an audit was conducted by the Auditor General on the Firemen's Relief Fund for the period January 1, 2019 to December 31, 2021. Auditor opinion concluded that for the period Jan. 1, 2019 to Dec. 31, 2021 the association, in all significant respects, complied with applicable laws as they relate to the receipt and expenditures of the association funds - except a finding of unauthorized expenditures in the amount of \$1014. Reimbursement was made by the Volunteer Fire Dept. to the Firemen's Relief Fund. Complete audit will be posted on the website.

Lincoln St. Flood Mitigation Grant. - received notification on September 21, 2022 that the Twp. was awarded grant funds in the amount of \$220,000 to install inlets and repaving

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- Motion to forward grant information to CNA Engineering and to authorize CNA to begin bid specifications moving toward advertising.

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- Slezak _M_ Hawk _S_ Rinaldi ____
 Roll Call: Slezak __Y_ Hawk __Y_ Rinaldi _ Y____

2022 LSA Gaming Grant - Township enacted Resolution 8-01 of 2022 whereby it authorized filing a 2022 LSA Gaming Grant in the amount of \$1,460,000 with a Twp. match of \$105,905. The grant was submitted on 8-23-2022

	Total	Township	Grant
Police	75,475	-	75,475
Fire	161,830	-	161,830
Ambulance	1,230,000	105,905	1,124,095
EMA	17,800	-	17,800
Administrative	3,500	-	3,500
Road	77,300	-	77,300
	1,565,905	105,905	1,460,000

Electronics Event - At the August 20, 2022 Electronic Event 32,000 lbs. of electronics were collected from residents. Twp. will be eligible for reimbursement from Luzerne County for costs incurred up to a maximum of \$10,000.

Annual Bag Distribution - Sept. 30 is the deadline for reimbursements to residents. To date, \$135,185 reimbursement for ambulance, sewer and Ptn Twp. Sewer Authority Maintenance fee checks have been mailed to residents.

SPCA Municipal Partnership Agreement - .Current agreement expires Dec. 31, 2022. A renewal agreement with a term 2023 to December 31, 2028 was received by the Township. Supervisor Rinaldi asked if there were any changes to the existing agreement. Mr. Bonita responded no. It was also mentioned that the Twp. pays on a per animal basis at a pre-arranged fee schedule. The Twp. pays for all animals delivered to SPCA.

- **Motion:** To execute agreement with SPCA for a term beginning January 1, 2023 and ending December 31, 2028

- Slezak __M_ Hawk _S_ Rinaldi ____
 Roll Call: Slezak _Y_ Hawk _Y_ Rinaldi Y

HR Policy for non uniform full time employees not covered by CBA

- To enact a **HR Policy** for non uniform full time employees not covered by CBA with terms and conditions as outlined in the collective bargaining agreement of the Township Police Department CBA

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- Slezak __ Hawk _S_ Rinaldi __M__
 Roll Call: Slezak _Y__ Hawk _Y__ Rinaldi Y

Financial

To ratify August - Sept prepaid bills in the amount of \$ 131720.38 and unpaid bills in the amount of \$ 48883.07 and payroll

8-17-22	57,939.29
8-31-22	66459.58
9-14-22	63264.06

AFLAC	66.86
EZPass	35
AFLAC	66.86
Commonwealth Financing	100.00
Neopost	100
Neopost	100
WalMart	179.31
Amazon	389.99
Badge & Wallet	557.56
PLIC Insurance	793.23
Advanced Arms	1,065.00
Hartford Ins.	1,210.68
Amazon	2989
AmTrust	4543
Pr Transfer	57,939.29
Pr Transfer	66,459.58
Pr Transfer	69,588.51

QUESTIONS/CONCERN

Question was raised about the Advanced Arms Invoice. Mr. Bonita stated that this was for a rifle purchased by Lt. Hockenberry and will be offset by his clothing allowance for 2022 and 2023

- Motion to approve payment of bills and unpaid bills.

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Emergency Management Report

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Supervisor Hawk commented on the damage to the light bar on the UTV and he is getting a price from VCI to replace. Based on the cost it will be either turned over to insurance or paid by the Twp. Also, the command vehicle has problems with the lighting system and VCI is going to look it over. He will also attend a PSAT seminar and an EMA Conference relating to his position as Supervisor and EMA Coordinator.

The 2nd annual Halloween event will be held at the Bryden St. Municipal Building (old fire station) . The project is a joint effort by the volunteer ambulance and the fire dept.

Fire Department

Incident Report -

QUESTIONS/CONCERNS

Supervisor Rinaldi questioned the listing of employees and number of incidents. Mr. Bonita stated that he asked that this report be included with their monthly report to track the activity of members.

- Motion to approve incident report

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Ambulance Association -

Monthly Report

- Motion Monthly Report

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QUESTIONS/CONCERNS

Road Department - bids were requested for Baker Chapel project. Bids Due 8-25 at the Twp. Municipal Bldg. Two separate grants for this project \$150,000 and \$537,037.

Bids were received from:

American Asphalt	1,391,479
Linde	1,181,215
JT O'Hara	1,085,900
Vom, Inc.	784,328

Bids were referred to CNA Engineering for their review. Apparent low bidder VOM was disqualified - not a PDOT qualified bidder, no bid bond and no certified check, bid was not

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submitted in sealed envelope. CNA recommends (a) rejection of bids. They also recommended disqualification of VOM based on the items mentioned above.

- Motion to reject bids and resubmit advertisement at another date for the project

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A notice of rejection of bids will be sent to the bidders listed above.

Salt Shed - Roadmaster Slezak is requesting a rebuild of the existing salt shed located on the Twp By-pass. CNA Engineering met with Dave and secured prices for construction. Time delay in supply chain is 6-8 weeks. Further discussion will take place.

QUESTIONS/CONCERNS

Recreation - Parks

Playground equipment and installation has been delayed due to supply chain problems. However, based on discussions with DCNR the Twp. was able to secure additional grant funds in the amount of \$35,000. Equipment and installation thru COSTARS program was secured with DCNR Grant and assistance from Mericle Construction.

Police

POLICE REPORT - submitted by Chief Angelella -

- Motion accept police report as submitted

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 Slezak__Y__ Hawk __Y__ Rinaldi __Y__

Taser School - Authorize Arnulfo Rivera to attend.

Chief Angelella commented on the hiring of Officer Winn. This was the first attempt at hiring thru Lackawanna College program. The Twp. will be reimbursed 75% of his tuition and 45% of his salary from MPOEC.

Officer Navarro is at training school with Zeus. Next step they will be attending scent school next year.

Trick or Trunk night will be held at Chewy, 360 Research Drive October 22, 2022 at 1 to 4PM and Sky Zone and sponsored by Police October 28, 2022 5 - 7 PM

Officer Hockenberry did report that since attending weights and measures school and becoming certified he has issued over \$55,000 in citations. Supervisor Hawk commented on

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the potential money that the Twp. could receive from these citations and future. Supervisor Slezak commented that he has been advocating for a Twp. police officer to become certified.

Mr. Bonita read into the minutes a letter of commendation written about Officer Tamburello citing his professionalism in handling a situation at a local business. Letter will be placed in his file.

Ordinance Police Pension Ordinance

As a result of negotiations with the Police and FOP changes have been made to the existing Police Pension Ordinance amending the ordinance to provide for vesting for all current and future full time officers of Pittston Twp. Atty Finnerty has reviewed the changes as well as FRS Consultants and Duda Actuarial. Ordinance was advertised on Sept. 6, 2022 and September 15, 2022 and posted on the website.

QUESTIONS/CONCERNS

Comments were made from the audience questioning the logic behind the ordinance at this point and whether or not prior employees would be covered. Mr. Bonita responded that this was covered at several meetings held by the Supervisors and the individuals questioning the vesting. Based on professional opinions of our lawyer, our consultant and the Twp. actuary it was concluded that it is illegal to include prior employees under this ordinance. Unfortunately when the employee left there was no vesting provision in the ordinance.

Supervisor Rinaldi asked why we could not provide an exception. Mr. Bonita once again stated that he was advised that it is illegal to include prior employees under this ordinance. The ordinance was written to cover all CURRENT FULL TIME and FUTURE FULL TIME police officers. Mr. Bonita pointed out to all parties that there were three or four meetings to discuss the same issue. There is no portability (jobs in other municipalities do not qualify for years of service) and there is no provision for retroactivity. The prior Ordinance enacted in 2007 was specific - 25 years of service AND 55 YEARS OF AGE.

- **Motion** adopt Ordinance 9-01 of 2022 providing for vesting for all current and future full time officers of Pittston Twp.

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Supervisor Rinaldi abstained and stated he felt an exception should be made. Supervisor Slezak reluctantly seconded the motion.

Purchase of Cruiser - discussion concerning the purchase of a used K-9 police car from Pittston City. Chief Angelella and Supervisor Hawk visited Pittston City and looked over the vehicle. Their recommendation is to purchase the vehicle at a price of \$ 19,000 .

- **Motion** purchase K-9 Vehicle from Pittston City at a cost of \$ 19,000

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Planning/Zoning/Code Enforcement

T. Best submitted a zoning report for the month of August 2022 Planning Commission vacancy - applications being accepted

4RG Group, LLC Combination Minor Subdivision - Letter requesting a 90 day extension regarding the preliminary/Final Land Development Plans submitted.

- **Motion** grant 90 day extension regarding the **4RG Group, LLC Combination Minor Subdivision** submitted.

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Slezak _Y__ Hawk __Y_ Rinaldi NO

4RG Group, LLC - Letter requesting a 90 day extension regarding the Land Development Plans submitted.

- Motion grant a 90 day extension regarding the Land Development Plans submitted.

Slezak__M__ Hawk _S____ Rinaldi ____
Slezak _Y__ Hawk __Y_ Rinaldi NO

JB Hunt Maintenance Bldg. Addition

CNA review of plans and documents finds that the project proposed complies with the Townships Stormwater Management Ordinance

- Motion to accept CNA review of plans and documents finding that the project proposed complies with the Townships Stormwater Management Ordinance

Slezak__M__ Hawk _S____ Rinaldi ____
Slezak _Y__ Hawk __Y_ Rinaldi NO

Mericle Lot 4A Land Development

The applicant submitted revised plans and supporting documents to CNA. We recommend that the plan be approved contingent on the items identified in that letter, namely authorization of the NPDES Permit amendment, execution of the Stormwater O&M Agreement, and presence of executed certifications, signatures and seals present on the plans.

- **Motion** - approve plan contingent on the items identified namely authorization of the NPDES Permit amendment, execution of the Stormwater O&M Agreement, and presence of executed certifications, signatures and seals present on the plans.

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Centerpoint East Phase IIB Lot 35B Land Development: CNA issued a review letter dated August 31 recommending that the application be approved contingent on execution of the Stormwater O&M Agreement, and presence of executed certifications, signatures and seals present on the plans.

- **Motion** - application be approved contingent on execution of the Stormwater O&M Agreement, and presence of executed certifications, signatures and seals present on the plans

Slezak __M__ Hawk __S__ Rinaldi __
 Slezak __Y__ Hawk __Y__ Rinaldi NO

Peter Galli Reverse Subdivision

CNA Review of documents and plans found compliance with the standards of Twp. Subdivision and Land Development. Ordinance Recommends approval contingent on the appropriate seals, signatures and certifications on the plans

- **Motion** - approve Peter Galli Reverse Subdivision contingent upon the presence of executed certifications, signatures and seals present on the plans

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 Slezak __Y__ Hawk __Y__ Rinaldi Y

Joriki Beverage - Recommendation by Sewer Authority Engineer to accept flow calculation of wastewater flow into Lower Lackawanna Valley Sanitary Authority Sewage Treatment facility

- **Motion** - to accept the recommendation by Sewer Authority Engineer to accept flow calculation of wastewater flow into Lower Lackawanna Valley Sanitary Authority Sewage Treatment facility. Sewage Facilities Planning Module advertised in Citizens Voice on Sept. 17, 2022 and available at Twp. Business Office.

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 Slezak __Y__ Hawk __Y__ Rinaldi Y

Lion Brewery - Recommendation by Sewer Authority Engineer to accept flow calculation of wastewater flow into Lower Lackawanna Valley Sanitary Authority Sewage Treatment facility. Sewage Facilities Planning Module advertised in Citizens Voice on Sept. 17, 2022 and available at Twp. Business Office.

- **Motion** - to accept the recommendation by Sewer Authority Engineer to accept flow calculation of wastewater flow into Lower Lackawanna Valley Sanitary Authority Sewage Treatment facility. Sewage Facilities Planning Module advertised in Citizens Voice on Sept. 17, 2022 and available at Twp. Business Office.

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Airport Car Rental Facility

Project previously reviewed by Penn Eastern in 2020 reviewed again by CNA and find that the comments by Penn Eastern have been adequately addressed. CNA recommends approval of land development application contingent on signatures of owners and engineers and other consultants are on the plans and Stormwater O&M agreements are properly executed by the Township

- **Motion** - approval of land development application- Airport Car Rental Facility contingent on signatures of owners and engineers and other consultants are on the plans and Stormwater O&M agreements are properly executed by the Township

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 Slezak__Y__ Hawk__Y__ Rinaldi__Y__

MS-4

Operation and Maintenance (O&M) Agreement

Agreement between the Township and 400 Research Drive, LLC whereby the Township approves the Management Best Management Practices which provides for management of stormwater within the confines of the property through the use of BMP's which requires that on-site SWM BMP's be constructed and maintained on the property.

- Motion ACCEPT O&M Agreement between the Township and 400 Research Drive, LLC whereby the Township approves the Management Best Management Practices

Slezak__M__ Hawk__S__ Rinaldi__
 Slezak__Y__ Hawk__Y__ Rinaldi__Y__

Public Comment

There were no signatures on the sign in sheet.. However, much conversation took place when the Police Ordinance was discussed.

Adjournment: Motion to Adjourn

• Slezak__S__ Hawk__S__ Rinaldi__M__
 Roll Call: Slezak__Y__ Hawk__Y__ Rinaldi__Y__