

WARRIOR RUN BOROUGH

496 Front Street

Warrior Run, Pennsylvania 18706

Phone: (570) 823-3301 | Fax: (570) 235-6911

Email: wrboro@ptd.net

Council Meeting Minutes Monday, December 11, 2023

Meeting Called to Order

Pledge of Allegiance

Roll Call

Approval / Minutes of Previous Meeting

Approval / Treasurer Report of Previous Month

Communications

Public Comment on Tonight's Agenda

3rd and Final Reading and Motion to Approve Property
Maintenance Ordinance 2023-01

3rd and Final Reading and Motion to Approve Warrior Run
Borough Refuse Ordinance 2023-02

3rd and Final Reading and Motion to Approve 2024 Budget
Reading and Approval of 2024 Tax Ordinances by Attorney
Patrick Aregood

Old Business

New Business

Attorney Patrick Aregood Report

Police Report

Mayor's Report

Final Comment

Public Comment

Adjournment

Council Meeting Minutes Monday, December 11, 2023

Roll Call **Present** **Not Present**

Council Members:

| | | |
|-------------------------------------|--------------|---------------|
| Larry Carbohn, President | <u> X </u> | <u> </u> |
| Sharon Wengren, Vice-President | <u> X </u> | <u> </u> |
| Sandy Wegrzynowicz | <u> X </u> | <u> </u> |
| Matt Pilch | <u> X </u> | <u> </u> |
| John Quinn, Public Works Supervisor | <u> X </u> | <u> </u> |

Other Attendees:

| | | |
|-------------------------------------|--------------|---------------|
| Mayor, Tom Shypulefski | <u> X </u> | <u> </u> |
| Solicitor, Attorney Patrick Aregood | <u> X </u> | <u> </u> |
| Secretary, Donna Tudgay | <u> X </u> | <u> </u> |

A motion to approve the minutes from the November 13, 2023, meeting.

1st motion made by: JQ 2nd motion made by MP

| | Yes | No | Abstain |
|-----------------|--------------|---------------|---------------|
| S. Wengren | <u> X </u> | <u> </u> | <u> </u> |
| S. Wegrzynowicz | <u> X </u> | <u> </u> | <u> </u> |
| M. Pilch | <u> X </u> | <u> </u> | <u> </u> |
| J. Quinn | <u> X </u> | <u> </u> | <u> </u> |
| L. Carbohn | <u> X </u> | <u> </u> | <u> </u> |

Motion passed X Motion failed

A motion to approve the Treasurer’s report from November 1, 2023, through November 30, 2023.

1st motion made by: JQ

2nd motion made by S. Wengren

| | Yes | No | Abstain |
|-----------------|--------------|---------------|---------------|
| S. Wengren | <u> X </u> | <u> </u> | <u> </u> |
| S. Wegrzynowicz | <u> X </u> | <u> </u> | <u> </u> |
| M. Pilch | <u> X </u> | <u> </u> | <u> </u> |
| J. Quinn | <u> X </u> | <u> </u> | <u> </u> |
| L. Carbohn | <u> X </u> | <u> </u> | <u> </u> |

Motion passed X

Motion failed

Communications

A letter was received from resident Ed Pegarella, regarding replacement of a hammer jack (jackhammer), used for equipment installation in the Warrior Run Playground, which was damaged.

Public Comment on Tonight’s Agenda - None

3rd Reading and Motion to Approve and Accept Property Maintenance Ordinance 2023-01

1st motion made by: S. Wengren 2nd motion made by: S. Wegrzynowicz

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

3rd Reading and Motion to Approve and Accept Warrior Run Borough Refuse Ordinance 2023-02

1st motion made by: S. Wengren 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

3rd Reading and Motion to Approve and Accept 2024 Budget

1st motion made by: JQ 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Tax Ordinance 2023-3

WARRIOR RUN BOROUGH ORDINANCE

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR THE FISCAL YEAR 2024.

NOW, it is hereby ORDAINED and ENACTED by the Borough of WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania; that:

SECTION 1: A tax be and the same is hereby levied on all property within the Borough of WARRIOR RUN subject to taxation for the Borough purposes for the fiscal year 2024 as follows:

GENERAL PURPOSES: Three and Eight tenths (3.8) Mills on each Dollar of assessed valuation.

Making a total tax rate for all Borough purpose of three and eight tenths (3.8) Mills.

SECTION II: Any Ordinance, or part of an Ordinance conflicting with this Ordinance be the same are hereby repealed in-so-far as the same affects this Ordinance.

ORDAINED and ENACTED by the Borough Council of the Borough of WARRIOR RUN, this _____ Day of _____, 2023

WARRIOR RUN BOROUGH

By: _____
Larry Carbohn, President

ATTEST:

Donna Tudgay, Secretary

Passed and adopted this _____ day of December, 2023

Tom Shypulefski, Mayor

1st motion made by: S. Wegrzynowicz 2nd motion made by: JQ

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Tax Ordinance 2023-4

WARRIOR RUN BOROUGH ORDINANCE

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, ENACTING ITS EARNED INCOME TAX ORDINANCE, TO PROVIDE REVENUE BY IMPOSING A TAX OF ONE (1%) PERCENT ON EARNED INCOME TAX RECEIVED AND ON NET PROFIT EARNED (a) BY PERSONS WORKING IN WARRIOR RUN BOROUGH, AND (b) BY PERSONS WHO ARE RESIDENTS OF WARRIOR RUN BOROUGH FOR 2024

NOW, it is hereby ORDAINED and ENACTED by the Borough of WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania, that:

SECTION 1: The BOROUGH OF WARRIOR RUN, County of Luzerne and Commonwealth of Pennsylvania, imposes a tax of one (1%) percent levied on earned income received and on net profits earned (a) by persons working within WARRIOR RUN BOROUGH, and (b) by persons who are residents of WARRIOR RUN BOROUGH.

SECTION II: Any Ordinance, or part of an Ordinance conflicting with this Ordinance be and the same are hereby repealed in-so-far as the same affects this Ordinance.

ORDAINED and ENACTED by the Borough Council of the Borough of WARRIOR RUN this _____ day of December, 2023.

WARRIOR RUN BOROUGH

By _____
Larry Carbohn, President

ATTEST:

Donna Tudgay, Secretary

Passed and adopted this _____ day of December, 2023

Tom Shypulefski, Mayor

1st motion made by: MP 2nd motion made by: S. Wengren

| | Yes | No | Abstain |
|-----------------|----------|----------|---------|
| S. Wengren | | <u>X</u> | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Tax Ordinance 2023-5

WARRIOR RUN BOROUGH ORDINANCE

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, REENACTING ITS OCCUPATIONAL PRIVILEGE TAX ORDINANCE, TO PROVIDE REVENUE BY IMPOSING A TAX OF TEN (\$10.00) DOLLARS ON OCCUPATIONS ENGAGED IN BY INDIVIDUALS FOR THE PRIVILEGE OF ENGAGING IN SAID OCCUPATIONS WITHIN THE CORPORATE LIMITS OF THE BOROUGH OF WARRIOR RUN, WITHOUT SUBSTANTIAL CHANGE, HAVING BEEN ENACTED UNDER THE AUTHORITY GRANTED AND BEING REENACTED UNDER THE LOCAL TAX ACT OF 1965, ACT 511 EFFECTIVE JANUARY 1, 1966 FOR 2024

NOW, it is hereby ORDAINED and ENACTED by the Borough of WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania, that:

SECTION I: The Borough of WARRIOR RUN County of Luzerne and Commonwealth of Pennsylvania, imposes a tax of Ten (\$10.00) Dollars on occupations engaged by individuals for the privilege of engaging in said occupations within the corporate limits or WARRIOR RUN BOROUGH under authority granted by the Local Tax Enabling Act, Act 511 of 1965, effective January 1, 1966 and its amendments. This is a continuance and reenactment of its prior Occupational Privilege Tax Ordinance.

SECTION II: Any Ordinance, or part of an Ordinance conflicting with this Ordinance be and the same are hereby repealed in-so-far as the same affects this Ordinance.

ORDAINED and ENACTED by the Borough Council of the Borough of WARRIOR RUN, this _____ day of _____, 2023

WARRIOR RUN BOROUGH

By: _____
Larry Carbohn President

ATTEST:

Donna Tudgay Secretary

Passed and adopted this _____ day of December, 2023

Tom Shypulefski, Mayor

1st motion made by: S. Wegrzynowicz 2nd motion made by: JQ

| | Yes | No | Abstain |
|-----------------|----------|----------|---------|
| S. Wengren | | <u>X</u> | ____ |
| S. Wegrzynowicz | <u>X</u> | ____ | ____ |
| M. Pilch | <u>X</u> | ____ | ____ |
| J. Quinn | <u>X</u> | ____ | ____ |
| L. Carbohn | <u>X</u> | ____ | ____ |

Motion passed X

Motion failed _____

Tax Ordinance 2023-6

WARRIOR RUN BOROUGH ORDINANCE

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, TO PROVIDE REVENUE BY IMPOSING TAX OF ONE (1%) PERCENT LEVIED ON THE PRIVILEGE OF TRANSFERRING REAL ESTATE, INCLUDING MINERALS, TIMBER, NATURAL RESOURCES, AND COALS, "IN PLACE SITUATED IN PART OR IN WHOLE WITHIN THE CORPORATE LIMITS OF WARRIOR RUN BOROUGH, WITHOUT SUBSTANTIAL CHANGE HAVING BEEN ENACTED UNDER THE AUTHORITY GRANTED AND BEING REENACTED UNDER THE LOCAL TAX OF 1965 ACT 511 EFFECTIVE JANUARY 1, 1966". FOR FISCAL YEAR 2024.

NOW, it is hereby ORDAINED and ENACTED by the Borough of WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania, that:

SECTION I: The Borough imposes a tax of one (1%) percent levied on the privilege of transferring real estate including minerals, timber natural resources and coal "in place situated in part or whole within the limits of WARRIOR RUN BOROUGH under authority granted by the Local Tax Enabling Act. Act 511 of 1965, effective January 1, 1966, and its amendments". This is a continuance and reenactment of a 1985 Ordinance.

SECTION II: Any Ordinance, or part or an Ordinance conflicting with this Ordinance be and the same are hereby repealed in-so-far as the same affects this Ordinance.

ORDAINED and ENACTED by the Borough Council of the Borough of WARRIOR RUN, this _____ day of December, 2023.

WARRIOR RUN BOROUGH

By: _____
Larry Carbohn, President

ATTEST:

Donna Tudgay Secretary

Passed and adopted this _____ day of December, 2023

Tom Shypulefski, Mayor

1st motion made by: MP

2nd motion made by: S. Wegrzynowicz

| | Yes | No | Abstain |
|-----------------|----------|----------|---------|
| S. Wengren | | <u>X</u> | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Tax Ordinance 2023-7

WARRIOR RUN BOROUGH ORDINANCE

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE COMMONWEALTH OF PENNSYLVANIA, TO PROVIDE REVENUE BY IMPOSING A PER CAPITA TAX ON EVERY RESIDENT OF THE BOROUGH OF WARRIOR RUN, EIGHTEEN (18) YEARS OF AGE OR OLDER; PRESCRIBING THE DUE DATE AND PROVIDING FOR PENALTY, LIMITATIONS AND EXCEPTIONS FOR 2024.

NOW, it is hereby ORDAINED and ENACTED by the BOROUGH OF WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania, that the BOROUGH OF WARRIOR RUN, County of Luzerne, Commonwealth of Pennsylvania, levy for the year 2024 per capita tax of Five (\$5.00) Dollars on each and every resident of the Borough eighteen (18) years of age or older, under the authority granted by the Local Tax Enabling Act, Act 511 of 1965, effective January 1, 1966, and its amendments, and

BE IT FURTHER ORDAINED, that any person failing to pay his or her tax when due shall be subject to penalty of five (5%) percent of said per capita tax levied in addition to any other cost of collection as may be prescribed by law.

THIS ORDINANCE shall be cited as the "BOROUGH OF WARRIOR RUN Per Capita Tax Ordinance" and the tax herein and hereby shall be designated as the "BOROUGH OF WARRIOR RUN Per Capita Tax".

BE IT FURTHER ORDAINED that the following limitations and exceptions shall apply to this Ordinance and the collection of taxes heretofore said.

SECTION I: That all persons serving in the Armed Forces to the United States shall be exempt from this Per Capita Tax.

SECTION II: That persons between eighteen (18) and twenty-five (25) years of age who are attending high school or college full time, except those who are gainfully employed shall be exempt from this Per Capita Tax.

SECTION III: That the tax levied under this Ordinance shall become effective on the first day of January, 2024.

SECTION IV: Any Ordinance, or part of an Ordinance conflicting with this Ordinance be the same are hereby repealed in-so-far as the same affects this Ordinance.

ORDAINED and ENACTED by the Borough Council of the Borough of WARRIOR RUN, this _____ day of _____, 2023.

WARRIOR RUN BOROUGH

By: _____
Larry Carbohn President

ATTEST:

Donna Tudgay Secretary

Passed and adopted this _____ day of December, 2023

Tom Shypulefski Mayor

1st motion made by: S. Wengren

2nd motion made by: JQ

| | Yes | No | Abstain |
|-----------------|----------|----------|---------|
| S. Wengren | | <u>X</u> | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Old Business

1. A motion to ratify the deposit of a check, received from the Warrior Run Boro 125 Association in the amount of \$9,487.52, into the General Fund.

1st motion made by: JQ 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X Motion failed _____

2. A motion to approve payment to Attorney Patrick Aregood, for services rendered in the month of November 2023 (refuse contract renewal, preparation of refuse and property maintenance ordinances, legal advertisements preparation and work session(s) attendance) in the amount of \$400.00, to be paid from the General Fund.

1st motion made by: S. Wengren 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X Motion failed _____

New Business

1. A motion to approve and pay M and J Excavating, Inc., for milling and blacktopping on Boyle Street extension, in the amount of \$9,100.00, to be paid from the General Fund.

1st motion made by: JQ 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

2. A motion to approve the hire of Sulewski Bookkeeping & Payroll, as the Borough's Bookkeeper/Treasurer, in the amount of \$300.00/month (\$3600.00/year).

1st motion made by: S. Wengren 2nd motion made by: MP

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

3. A motion to approve the installation of four (4) new streetlights by UGI, which will be paid out of the Highway Aid Fund, at the following locations:
- a. Corner of Beaumont and Hanover Streets
 - b. Corner of Elm and Hanover Streets
 - c. On the utility pole at 512 Front Street
 - d. At the field of the Warrior Run Borough Recreation Area (baseball field)

1st motion made by: JQ 2nd motion made by: S. Wegrzynowicz

| | Yes | No | Abstain |
|-----------------|--------------|---------------|---------------|
| S. Wengren | <u> X </u> | <u> </u> | <u> </u> |
| S. Wegrzynowicz | <u> X </u> | <u> </u> | <u> </u> |
| M. Pilch | <u> X </u> | <u> </u> | <u> </u> |
| J. Quinn | <u> X </u> | <u> </u> | <u> </u> |
| L. Carbohn | <u> X </u> | <u> </u> | <u> </u> |

Motion passed X

Motion failed

4. A motion to purchase a new hammer jack (jackhammer) for resident Ed Pegarella from Harbor Freight, in the amount of \$649.00, to be paid from the General Fund.

1st motion made by: MP 2nd motion made by: JQ

| | Yes | No | Abstain |
|-----------------|--------------|---------------|---------------|
| S. Wengren | <u> X </u> | <u> </u> | <u> </u> |
| S. Wegrzynowicz | <u> X </u> | <u> </u> | <u> </u> |
| M. Pilch | <u> X </u> | <u> </u> | <u> </u> |
| J. Quinn | <u> X </u> | <u> </u> | <u> </u> |
| L. Carbohn | <u> X </u> | <u> </u> | <u> </u> |

Motion passed X

Motion failed

5. A motion to approve and pay Don’s Tree Service, to cut and remove the dead trees on Borough property on Boyle Street, to be paid from the Highway Aid Fund (cost pending).

1st motion made by: JQ 2nd motion made by: S. Wengren

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Attorney Aregood Report - None

Police Report - Month of November 2023 - Report on file

Mayor Report

I would like to thank Larry Carbohn for serving 8 years as a Council Member and President of Council. He has gone above the duties of service to the Warrior Run Borough. During this period, together with myself and members of Council, we made terrific progress placing the Borough in a forward position to keep up with the demands necessary to succeed. The Borough owes a debt of gratitude to Larry Carbohn and I wish him well going forward. He always had the Borough’s best interest in mind.

From my wife, Theresa and myself, we wish everyone a Blessed Christmas and Healthy New Year.

A motion to accept Attorney Aregood’s Report, Police Report and Mayor’s report.

1st motion made by: MP

2nd motion made by: S. Wegrzynowicz

| | Yes | No | Abstain |
|-----------------|----------|-------|---------|
| S. Wengren | <u>X</u> | _____ | _____ |
| S. Wegrzynowicz | <u>X</u> | _____ | _____ |
| M. Pilch | <u>X</u> | _____ | _____ |
| J. Quinn | <u>X</u> | _____ | _____ |
| L. Carbohn | <u>X</u> | _____ | _____ |

Motion passed X

Motion failed _____

Final Comment

Attorney Aregood: I have been with this council since 2017 and I have seen a lot of people come and go on Council, and I would have to echo the Mayor’s sentiments about Larry. You may not like him all the time, and he may be bullish at times, but he gets the job done. I hope the Borough of Warrior Run appreciates what he has done. Everything is done professionally; everything that happens is scripted as it happens. I hope it keeps going forward.

Councilman Pilch: There are a lot of hateful people in this town.

President Carbohn: It was a pleasure to serve the Borough for the past 8 years and I hope the Borough keeps going in the right direction and I wish the Borough the best in its endeavors. Merry Christmas and Happy New Year to everyone.

Public Comment

Resident T. Price: I would like to say the Borough is finally out of the red; it is in the black.

Resident E. Pegarella: The Borough screwed up.

Motion to adjourn

1st motion made by: JQ

2nd motion made by: S. Wegrzynowicz

| | Yes | No | Abstain |
|-----------------|----------|-----|---------|
| S. Wengren | <u>X</u> | ___ | ___ |
| S. Wegrzynowicz | <u>X</u> | ___ | ___ |
| M. Pilch | <u>X</u> | ___ | ___ |
| J. Quinn | <u>X</u> | ___ | ___ |
| L. Carbohn | <u>X</u> | ___ | ___ |

Motion passed X

Motion failed

Donna Tudgay
Secretary, Warrior Run Borough
Submitted: 12/11/2023