

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

January 13, 2025

Meeting Called to Order

Pledge of Allegiance

Roll Call

Approval / Minutes of Previous Meeting

Communications

Public Comment on Tonight's Agenda

Old Business

New Business

Attorney Patrick Aregood Report

Police Report

Mayor's Report

Final Comment

Public Comment

Adjournment

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Council Meeting Minutes

January 13, 2025

Roll Call	Present	Not Present
Council Members:		
John Quinn, President	_____	<u> X </u>
Sandy Wegrzynowicz, Vice-President	<u> X </u>	_____
Richard Kratz	<u> X </u>	_____
Matt Pilch	<u> X </u>	_____
Larry Carbohn	<u> X </u>	_____
Other Attendees:		
Mayor, Tom Shypulefski	<u> X </u>	_____
Solicitor, Attorney Patrick Aregood	<u> X </u>	_____
Secretary, Donna Tudgay	<u> X </u>	_____

A motion to approve December 9, 2024, Council Meeting Minutes.

1st motion made by: RK

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u> X </u>	_____	_____
R. Kratz	<u> X </u>	_____	_____
M. Pilch	<u> X </u>	_____	_____
L. Carbohn	<u> X </u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

A motion to approve the Treasurer’s report from December 1, 2024, through December 31, 2024.

1st motion made by: RK

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u> X </u>	<u> </u>	<u> </u>
R. Kratz	<u> X </u>	<u> </u>	<u> </u>
M. Pilch	<u> X </u>	<u> </u>	<u> </u>
L. Carbohn	<u> X </u>	<u> </u>	<u> </u>
J. Quinn	<u> </u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

Communications

Warrior Run Borough received a Notice of Payment, from the Commonwealth of Pennsylvania Conservation and Natural Resources (DCNR), in the amount of \$84.91, in lieu of taxes for 141.51 acres located in Warrior Run Borough.

Public Comment on Tonight’s Agenda - None

Old Business

1. A motion to ratify authorization for the Marshall Dennehey Law Firm, to represent the Warrior Run Borough, in the civil case brought against Warrior Run Borough, by resident Herbert Wootton.

1st motion made by: LC

2nd motion made by RK

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

2. A motion to approve payment, in the amount of \$6,893.00 to DGK Insurance, for 2025 general liability/excess coverage insurance premium by Astra Insurance for Warrior Run Borough, to be paid from the General Fund.

1st motion made by: LC

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

3. A motion to approve payment, in the amount of \$1,038.00 to Encova Insurance, for 2025 workman compensation insurance premium for Warrior Run Borough, to be paid from the General Fund.

1st motion made by: LC

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

4. A motion to approve payment, in the amount of \$250.00 to DGK Insurance, for 2025 bond insurance premium for the Warrior Run Borough Secretary, to be paid from the General Fund.

1st motion made by: LC

2nd motion made by RK

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

- A motion to approve payment, in the amount of \$432.20 to Times Leader newspaper, for an advertisement in December 2024 (Warrior Run Borough Council Meeting schedule), to be paid from the General Fund.

1st motion made by: LC

2nd motion made by RK

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

New Business

- A motion to approve Resolution No. 1 of 2025, to adopt Act 537 Plan for the Wyoming Valley Sanitary Authority (WVSA) Sans Souci Force Main Replacement-Phase 1 (see next page).

1st motion made by: RK

2nd motion made by LC

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

RESOLUTION NO. 1 OF 2025

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WARRIOR
RUN, LUZERNE COUNTY, PENNSYLVANIA AUTHORIZING AN OFFICIAL ACT
537 PLAN UPDATE REVISION (LIMITED SCOPE)**

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act,” as amended, and the Rules and Regulations of the Department of Environmental Protection (“Department”) adopted thereunder, including Chapter 71 of Title 25 of the **Pennsylvania Code**, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality, and

WHEREAS, the Wyoming Valley Sanitary Authority (“WVSA”) has prepared an Official Act 537 Plan Update Revision (Limited Scope) which provides for sewage facilities to a portion of Warrior Run Borough, Luzerne County, Pennsylvania (“Borough”) tributary to the Sans Souci Parkway (SR 2002) Force Main, and

The alternative of choice to be implemented includes the following for Phase 1 of the WVSA Sans Souci Parkway (SR 2002) Force Main Replacement Project, located in Hanover Township, Luzerne County, PA:

Replacement of the existing force main extending from WVSA Pump Station (PS) #21 to the WVSA Junction Chamber location, at the same nominal force main size with a new, relocated alignment; and Cured-In-Place Pipe (CIPP) lining rehabilitation of the existing gravity sewer interceptor from the WVSA Junction Chamber location to the downstream WVSA Manhole III-10, which ultimately transmits wastewater to the WVSA Wastewater Treatment Plant (WWTP).

The key implementation activities/dates include the following for Phase 1 of the WVSA Sans Souci Parkway (SR 2002) Force Main Replacement Project:

Complete design, obtain all permits necessary for construction, and pursue any additional funding opportunities desired by the WVSA within one (1) year from the date of Plan approval. Complete construction for Phase 1 of the WVSA Sans Souci Parkway (SR 2002) Force Main Replacement Project to be fully operational within two (2) years from the date of Department Permit approval.

WHEREAS, both WVSA and the Borough find that the Facility Plan described above conforms to applicable zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Warrior Run, Luzerne County, Pennsylvania hereby adopt and submit to the Department or its approval as a revision to the “Official Plan” of the municipality, the above referenced Facility Plan. The WVSA, and by extension the Borough, hereby assures the Department of the complete and timely implementation of the said Plan as required by applicable law, including Section 5, Pennsylvania Sewage Facilities Act as amended.

DULY RESOLVED AND ADOPTED this 13th day of January 2025, at a regular meeting of the Borough Council of the Borough of Warrior Run, Luzerne County, Pennsylvania, in lawful session duly assembled.

ATTEST:

SECRETARY

BOROUGH OF WARRIOR RUN
Luzerne County, Pennsylvania

By: _____
CHAIR,
BOROUGH COUNCIL

(SEAL)

2. A motion to approve a rate increase for calendar year 2025, by Pumping Solutions of Wilkes-Barre, for monthly maintenance of the Hanover Street Pump Station. The monthly maintenance fee will increase to \$385.00/month (\$35/month increase), effective 01/01/2025.

1st motion made by: LC

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

3. A motion to approve payment, to Pumping Solutions of Wilkes-Barre and Martin’s Electrical, Tamaqua, for repair work required at the Hanover Street Pump Station, to be paid from the Sewer Fund (amount to be determined (TBD) pending completion of repair(s).

1st motion made by: LC

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	<u> </u>	<u> </u>
R. Kratz	<u> </u>	<u>X</u>	<u> </u>
M. Pilch	<u>X</u>	<u> </u>	<u> </u>
L. Carbohn	<u>X</u>	<u> </u>	<u> </u>
J. Quinn	<u> </u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

4. A motion to approve payment, in the amount of \$725.36 to Citizens’ Voice newspaper, for the following legal advertisements, to be paid from the General Fund:

- Advertisement in December 2024 (Warrior Run Borough Council Meeting schedule [amount \$352.16]);
- Advertisement in September 2024 (Request for Proposal (RFP) Warrior Run Borough Road and Sewer Imp Project-Phase II)[amount \$373.20]

1st motion made by: LC

2nd motion made by MP

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	<u> </u>	<u> </u>
R. Kratz	<u>X</u>	<u> </u>	<u> </u>
M. Pilch	<u>X</u>	<u> </u>	<u> </u>
L. Carbohn	<u>X</u>	<u> </u>	<u> </u>
J. Quinn	<u> </u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

5. A motion to approve payment, in the amount of \$924.00, to be paid to Wyoming Valley Sanitary Authority (WVSA) for supplying the billing for Q3 2024 Warrior Run Borough Sewer O & M Account, to be paid from the Sewer Fund.

1st motion made by: LC

2nd motion made by RK

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

Attorney Aregood Report

Attorney Aregood discussed the three actions, filed against Warrior Run Borough, by resident Herbert Wootton.

- Action 1: A Declaration of Taking, filed by Warrior Run Borough in 1990, to run the easement of the sewer line project through some of his property. The declaration was filed by the Borough; there is no evidence there was a board of reviewers appointed to determine value; there is no indication payment was or was not made. This is what will be litigated. It is not known if the Borough had insurance coverage against this particular claim. It was determined the Borough was covered by Selective Insurance during this time. Selective insurance will need to determine whether they will cover the issue or at least extend the defense (pay for the defense of the issue). It is not likely they will pay for a loss; it is not a loss – it is a legitimate action taken by Warrior Run Borough. The Borough is seeking a coverage letter from the insurance company; it not likely the insurance company will extend the defense, but it is worth a try.
- Action 2: Run off water issue on Beaumont Street (former Shannon property) has caused damage to his property. This issue is being defended by the Borough’s insurance company.

- Action 3: Claim of taking of property on Jones Street; specifically, directing water run off of Jones Street onto his property. This issue is also being defended by the Borough's insurance company. Wootton is looking for a declaration of taking for this matter (includes appointment of a board of reviewers).

Wootton is looking for compensation for all three issues.

Judge Hughes has indicated he will address two actions at the same time, possibly all three. The hearing will not occur for at least two to three months (possibly longer). Our counsel is taking preliminary objections to try to mitigate the issue(s) from proceeding any further.

Discussion ensued among council regarding work performed by Borough was done in own right away, prior flow of water on property was rectified and is now under the road (Jones Street), and discussion of the ownership of property and purpose (property cannot be utilized for any purpose).

Police Report - Month of December 2024 - Report on file

Mayor Report

The Warrior Run Borough System for Award Management (SAM) CAGE code (Commercial and Government Entity Number) is renewed for another year (expiration February 2026). Registration renewal enables Warrior Run Borough to be eligible to receive Federal grants throughout the year, if applicable. The ARP (American Rescue Plan) money is an example of such funding. If certain filings are not done, the borough would not be eligible for funds.

Reminder the 2025 Refuse fee payments are being accepted at the Municipal Building. Letters were sent out along with a message posted on Borough's sign and website. The payment amount is \$310 by check or money order. No cash payments. Payments can be placed in the locked mailbox during non-office hours.

A sincere thank you to Frank Pilch for revamping the Warrior Run Welcome sign. Frank worked on the sign at his residence, used his own supplies and paint without any remunerations from the Borough. Frank can always be relied on to

assist Warrior Run Borough with whatever tasks thrown his way. A true friend of our community. Thank you again, Frank, for your outstanding service to our Borough.

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

1st motion made by: RK

2nd motion made by LC

	Yes	No	Abstain
S. Wegrzynowicz	<u> X </u>	<u> </u>	<u> </u>
R. Kratz	<u> X </u>	<u> </u>	<u> </u>
M. Pilch	<u> X </u>	<u> </u>	<u> </u>
L. Carbohn	<u> X </u>	<u> </u>	<u> </u>
J. Quinn	<u> </u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

Final Comment

Councilman Kratz inquired when will the audit be completed for the Borough. The secretary provided the financial information to Hazleton Business Solutions the end of January; anticipate completion by mid-February.

Councilman Carbohn reiterated thank you to Frank Pilch for the fine work he did in revamping the Warrior Run Welcome sign and at no cost to the Borough

Councilman Carbohn spoke with Earth Conservancy regarding the major tree/land removal going on both sides of the road leading to the Hanover Section of Nanticoke; Earth Conservancy is in the process of redoing the Nanticoke Creek up to the top of the mountain. The reason it is so wide is due to trying to preserve existing bat roosts (located in trees, under bark, hollow trees, caves), etc.

Public Comment - None

Motion to adjourn

1st motion made by: LC

2nd motion made by RK

	Yes	No	Abstain
S. Wegrzynowicz	<u>X</u>	_____	_____
R. Kratz	<u>X</u>	_____	_____
M. Pilch	<u>X</u>	_____	_____
L. Carbohn	<u>X</u>	_____	_____
J. Quinn	_____	_____	_____

Motion passed X

Motion failed _____

Donna Tudgay
Secretary, Warrior Run Borough
Submitted: 01/13/2025