

WARRIOR RUN BOROUGH

496 Front Street

Warrior Run, Pennsylvania 18706

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Council Meeting Minutes

November 12, 2024

Meeting Called to Order

Pledge of Allegiance

Roll Call

Approval / Minutes of Previous Meeting

Approval / Treasurer Report from Previous Month

Communications

Public Comment on Tonight's Agenda

1st Reading of the 2025 Budget

Old Business

New Business

Attorney Patrick Aregood Report

Police Report

Mayor's Report

Public Comment

Final Comment

Adjournment

WARRIOR RUN BOROUGH

Council Meeting Agenda

November 12, 2024

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

Council Members:

John Quinn, President	<u> X </u>	<u> </u>
Sandy Wegrzynowicz, Vice-President	<u> X </u>	<u> </u>
Rick Kratz	<u> X </u>	<u> </u>
Matt Pilch	<u> X </u>	<u> </u>
Larry Carbohn	<u> X </u>	<u> </u>

Other Attendees:

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

A motion to approve the minutes from the October 15, 2024, Council Meeting will not be completed; the meeting minutes are not finished.

1st motion made by: _____ 2nd motion made by _____

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

Motion passed _____

Motion failed _____

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

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	<u>X</u>	_____	_____

Motion passed X Motion failed _____

Communications

Resident Tracy Cross, Hanover Street, passed away in October 2024.

On 10/11/2024, Mayor Shypulefski received an email with a copy of a SPCA Municipal Service Partnership Agreement and fee information for Warrior Run Borough Council review/discussion.

Public Comment on Tonight’s Agenda - None

1st Reading of the 2025 Budget

Old Business - None

New Business

1. A motion to approve Warrior Run Borough Resolution No. 02-2024, for the 2025 Statewide Local Share Assessment Grant-Front Street Improvements Project (new storm sewer installation/sewer lateral adjustments, trench restoration, milling and paving) (see next page):

1st motion made by: SW 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>X</u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

BOROUGH OF WARRIOR RUN

RESOLUTION NO. 02-2024

AUTHORIZED OFFICIAL RESOLUTION

Be it RESOLVED, that the Borough of Warrior Run of Luzerne County hereby requests a Statewide Local Share Assessment grant of \$ \$408,000.00 from the Commonwealth Financing Authority to be used for Front Street Improvements Project.

Be it FURTHER RESOLVED, that the Applicant does hereby designate John Quinn, President of the Borough of Warrior Run Council and Sandy Wegrzynowicz, Vice-President of the Borough of Warrior Run Council as the official(s) to execute all documents and agreements between the Borough of Warrior Run and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Donna Tudgay, duly qualified Secretary of the Borough of Warrior Run, Luzerne County, Pennsylvania, hereby certify that the forgoing is a true and correct copy of Resolution duly adopted by a majority vote of the Borough of Warrior Run at a regular meeting held November 12, 2024 and said Resolution has been recorded in the Minutes of the Borough of Warrior Run and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Warrior Run, this

12th day of November, 2024.

Borough of Warrior Run

Name of Applicant

Luzerne County

County

Donna Tudgay, Secretary of the Borough of Warrior Run

2. A motion to approve payment to Martins Electrical Service LLC, for work completion (back-up pump) at the Hanover Street Pump Station, in the amount of \$2,194.64, to be paid from the Sewer 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	<u>X</u>	_____	_____

Motion passed X Motion failed _____

3. A motion to advertise, in the two local newspapers, the following ads:
- a. Warrior Run Borough 2025 Budget
 - b. Warrior Run Borough 2025 Tax Ordinances
 - c. Warrior Run Borough 2025 Council Meeting and Work Session Meeting Schedule

1st motion made by: LC 2nd motion made by: SW

	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	<u>X</u>	_____	_____

Motion passed X Motion failed _____

4. A motion to issue a check to property owner Holly Albano (551 Orchard Street), in the amount of \$55,234.55, to be paid from the General Fund.
- A check in the amount of \$61,371.72, was issued to the resident from her insurance company for fire loss damages to her Orchard Street property (July 2024).
 - An escrow account was established by Warrior Run Borough on 10/11/2024 to receive transfer of insurance proceeds, to be held as security, per Warrior Run Borough Fire Insurance Escrow Ordinance No. 13 (2006). Ten percent (10%) is to be placed for property rehab or clean up.
 - On 11/08/2024, Warrior Run Borough received \$6,137.17 (10%) to be held as security; the remaining insurance proceeds are to be returned to the property owner.

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> X </u>	<u> </u>	<u> </u>

Motion passed X

Motion failed

5. A motion to approve a handicapped parking application for Michelle Olson, a tenant who resides at 327 Chestnut Street, and the purchase of a sign/pole from Bassler Equipment, to be paid from the General Fund. (The tenant issued a check in the amount of \$125.00 for the application fee.)

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

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

Motion passed Motion failed X

A letter, with the check included with the application, will be sent to the applicant regarding the Council decision, per Ordinance #101, Handicapped Parking (2018), Section B., Application Procedure, 2., 6., 11., and 13 and Section E.2. (copy attached).

A motion was made to amend tonight's meeting agenda, for two items which were not included on the agenda.

1st motion made by: LC 2nd motion made by: SW

	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> X </u>	<u> </u>	<u> </u>

Motion passed X Motion failed

6. A motion to grant Right-of-Way to UGI Utilities, giving the utility company permission to install its facilities via a Warrior Run Borough property. An existing telephone pole is being moved on the property owned by John and Donna Tudgay; UGI Utilities, Inc., is requesting to attach the service to a telephone pole located on Front Street, with access via Warrior Run Borough property, located at the rear of 205 Chestnut Street (ariel easement) in the amount of \$1.00 to be paid to Warrior Run Borough.

1st motion made by: RK 2nd motion made by SW

	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> X </u>	<u> </u>	<u> </u>

Motion passed X Motion failed

7. A motion to approve PennEastern Engineers, LLC, as the design professional for the 2024 Community Development Program, Chestnut Street Road and Storm Sewer Improvements Project / Phase II.

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> X </u>	<u> </u>	<u> </u>

Motion passed X Motion failed

Attorney Aregood Report

Attorney Aregood notified the Warrior Run Borough Council there has been an amendment to Act 131 (2024-131), which allows Boroughs to raise the current compensation for members of Council and the Mayor. In a borough with a population of less than 5,000, the current maximum salary for Council members is \$1,875 per year; the new maximum salary is \$3,145 per year. The current maximum salary for a Mayor with a population of less than 5,000, is \$2500 per year; the new maximum salary is \$4,190 per year. Any change in compensation shall become effective at the beginning of the next term of the member of council. Current council members will remain at the current salary; newly elected council members will receive the new salary. The change will be a four-year phase in; this will need to be considered for future budgeting. If Council is interested in pursuing this issue, an ordinance is required to enact the changes by 12/31/2024; this should be discussed at the next work session.

Warrior Run Borough received a notice of municipal lien satisfaction, in the amount of \$341.25, by Peter Tejada Martinez & Peter/Laura Lugo (225 Hanover Street).

Warrior Run Borough received a notice of municipal lien satisfaction, in the amount of \$341.25, by Brenda Cabrera (303 Boyle Street).

On 11/05/2024, Attorney Aregood attended a lengthy hearing with Judge Sklarosky regarding Herbert Wootton for numerous ordinance violations; the judge was provided with supporting records and evidence. The judge took all the information under advisement; the decision is pending.

Mr. Wootton lost the tax appeal on his home/property located on Chestnut Street; he will not be receiving a reduction in the tax assessment for this property. The other part of this case was dismissed (tax appeal on property on Hanover Street); he was told to take it to a different forum. Warrior Run Borough has not heard anything on this.

The insurance proceeds associated with the property which had a fire in July 2024 (551 Orchard Street/Holly Albano) has been addressed; the Borough is waiting for the property owner to take the next steps with the property rehab.

There is no new information from WWSA regarding the possible sale of the Warrior Run Borough sewer system. The maps will need to be provided by Warrior Run Borough to WWSA for assessment.

As previously communicated, Mr. Wootton is suing the Borough; a hearing is scheduled for December 2024 with Judge Hughes. Wootton has declared a taking of his property, based upon a pipe placement. If the ruling is there was a taking of property, then a board of viewers is appointed to determine the nature and the extent of damage, based upon the value of the property as it should be versus what it is. Pictures were taken today by the insurance carrier legal representative, who was accompanied by Council members; it does not appear there has been damage anywhere. The pipe has not been extended or the immediate area has not been altered or aggravated in any action taken by the Borough. Wootton is claiming the Borough was on his property (when the Shannon property issue was being addressed) and stated the pipe was extended; however, this was not the case. The Borough may be at risk; this is an insurance carrier managing the claim. The insurance carrier may come to a resolution of the claim; the Borough has no say in the decision.

Council member L. Carbohn had two inquiries for Attorney Aregood:

1) A new fence was put up before a house was sold (Joseph Gasper property); the old wooden fence was stacked at the end of Borough's property, which is on the pipe. Attorney Aregood stated action against the former owner needs to be taken (citing for littering and was a permit obtained to put up the new fence). The new owner did not have any part of the old fence removal/new fence installation; none of this is on his property. Code enforcement needs to be contacted.

2) A resident had their driveway blacktopped (V. Bonsavage); blacktop was left in the storm boxes by the blacktop contractor. The contractor was scheduled to meet with the Borough Street Department today, but they did not show up. The contractor was cited by code enforcement for not having a permit. How should the Borough handle this issue going forward; the boxes need to be cleaned out. The Borough can clean them out and send the bill to the contractor; or they can be contacted to alert them this is the action which will be taken. Attorney Aregood asked for the person who Larry spoke with (Tom) and took the name of the company (Stair Paving), telephone number and address location (328 Jones Street). There is no immediate danger of the water flow not going through the

pipe; they were cleaned out approximately a year ago. However, now there is blacktop in one of the storm boxes and blacktop/dirt/debris in the other one.

Police Report - Month of October 2024 - Report on file

Mayor's Report

The appeals hearing for Mr. Wootton was heard at the Luzerne County Court House. Judge Lupas presided over the case. Attorney Patrick Aregood, Code Officer Greg Gulick & I attended this hearing. Hearing was scheduled for 9 A.M.; the hearing started at 11 A.M. and lasted 40 minutes. This was an appeal of the Magistrate's verdict of guilty in the property maintenance case located at Chestnut and Front St. We are awaiting a verdict from Judge Lupas.

Mr. Wootton's properties were denied a reduction of tax relief from Luzerne County Assessment office. The properties are located at Chestnut Street and Hanover Street.

Larry Carbohn, John Quinn, and I met with James Greco, attorney for EMC Insurance concerning the lawsuits filed by Herbert Wootton against Warrior Run Borough. He was shown various locations of the alleged accusations. EMC Insurance will be representing Warrior Run Borough in this matter.

I was notified the exercise drill at the Talen Plant, October 22,2024, went flawlessly with no reported incidents.

Congratulations to State Representative Alec Ryncavage as he retained his seat in the Pennsylvania House of Representatives. He will continue to serve Warrior Run Borough. Alec was a tremendous help, as both he and I worked to obtain funding for the collapsed storm drains on Hanover Street. I would like to thank Jim Norris, Patti Lettich, & Anthony Kolativa for their work at the Warrior Run Polling station. No problems were reported on Election Day.

On a personal note, I would like to thank Donna Tudgay for her great work in assisting with the budget and various Borough issues. Government related information is relayed through various media streams and Donna has kept the

Borough updated on all reporting. Despite the opinion of many that Warrior Run Borough is small, they don't need to comply with regulations. However, not complying with regulations means less funding for the Borough. All municipal entities follow one guideline. Thanks Donna, for all your contributions.

Motion to accept Attorney Aregood, Police and Mayor Reports.

1st motion made by: SW

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	<u>X</u>	_____	_____

Motion passed X

Motion failed _____

Final Comment

The Borough is waiting for final estimate(s) to move forward regarding damage to Rick Kratz's recreational vehicle (RV), during grass cutting of Borough property adjacent to the Kratz property. Mr. Kratz indicated this was taken care of; no further action is needed.

Councilman Kratz inquired if Eric Eppler is still working for the Borough.

CR: No

Councilman Kratz inquired on what is required to do to put Hometown Heroes banners on the poles.

CR: A committee can be formed. The committee would be responsible to collect the money and have the banners made; acquire permission from the utility company to place the banners on the poles, hang the banners and general maintenance of banners (replacement if tear, rip, fall off pole). People can do it themselves as well; all fees are absorbed by the people requesting the banners.

Attorney Aregood explained how it is done in Hanover Township; it is done by the Lion’s Club. The Lion’s Club went to each community to see who might be interested. The banners cost approximately \$150 per banner; they last around 3 years. It is a great community project; however, there are a few glitches, such as renewal situation as the banners become weathered and require replacement; people become upset when banners are not placed as specific locations, etc. Lion’s Club was approached by Warrior Run Borough; due to the volume of being covered in Ashley and Hanover Township, they cannot take on anymore.

The last day for yard waste pickup is Monday, 11/25/2024.

Public Comment - None

Motion to adjourn

1 st motion made by: <u>LC</u>	2 nd motion made by <u>MP</u>		
	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	<u>X</u>	_____	_____

Motion passed X

Motion failed _____

Donna Tudgay, Secretary
 Warrior Run Borough
 Submitted: 11/12/2024