

**FOREST CITY BOROUGH
MINUTES
MONDAY OCTOBER 7th, 2024**

CALL TO ORDER: (President DeGonzague, presiding).

President DeGonzague called the meeting to order at 6:17 p.m. He welcomed everyone. He then asked everyone to join in the “Pledge of Allegiance.

ROLL CALL:

Present: President DeGonzague, Council Members Bernie Scalzo, Amy Bean, Sarah Woody, Robert Lesjack, Eileen Lynch, Tracey Lazier, Mayor Ginton, Secretary/Treasurer Dennise Yankauskas, Solicitor Marissa McAndrew. Absent was Solicitor Nathan Favreau.

ANNOUNCEMENTS: (President DeGonzague)

President DeGonzague announced that two Special Meeting were held on September 18th and 30th, 2024. He also stated that Council held an executive session before tonight’s meeting for legal issues. Solicitor McAndrew stated that there was also an executive session before the September 30th Special Meeting.

PUBLIC COMMENT:

President DeGonzague opened the floor for public comment. Paul Venditti businessman again questioned revision on the traffic ordinance 522 that there are contradictions in the rules. Paul has been waiting to hear back from the Solicitor about a meeting. Paul put together a bullet point with Fred owner of Frugal Living. Paul gave Council a company, LTAB that works with PennDOT to use engineers to solve issues like this. He also stated that Honesdale had a similar problem and they used LTAB and the problem was solved. President DeGonzague asked Solicitor McAndrew to set up a meeting with Paul, Fred, and Mr. Trichilio. Solicitor McAndrew recommended a public meeting so that they can also hear from the residents that live on Higgins Street. Jason Obelenus 612 Railroad Street questioned Council that the constable was not being paid with Borough funds but it is stated right here on the Treasurer report so can anyone clarify that. President DeGonzague stated that Mr. Fitzsimmons complained at the last meeting that he made such a big thing out of it, that instead of me being generous and paying it out of my pocket for the tax payers, I just put it on the “thing.” Jason stated so why didn’t you continue to pay for him because Mr. Fitzsimmons questioned you about it. President DeGonzague said yes, that he made such a big stink about made a big stink, Jason asked what is your justification about putting it on the Borough, President DeGonzague said that Mr. Fitzsimmons said that the Borough should be paying for it. Someone from the audience said that is not what he said. Jason said that why should the Borough being paying for it and you said no they are not paying for, I paying for it out of the goodness of my will. Jason said because the goodness of your will is that he is here. So now you decided to put it back on tax payers now, because your mad at Mr. Fitzsimmons. President DeGonzague said he would take care of it. Jason stated there should be a reimbursement of \$100. Jason asked that if everyone heard that he said he would take care of it. Solicitor McAndrew stated she would investigate if a motion made on it. Councilwoman Bean spoke on an incident about a couple of months ago about a resident getting disruptive. She stated that the president asked the Police Officer to remove the resident and the officer went against him. She also stated that the Mayor told the officer to stand down, so now the Mayor is going against Council’s wishes, Council thought was best to have a constable here in case issues like that come up again, because obviously, the Mayor and the cops don’t adhere to Council, Jason. So that is why the constable is here, Chris was paying out of his pocket for a couple of months until last month. If the officer would do their jobs and remove a resident we wouldn’t have to pay a constable, but they’re not doing their job. The Mayor ask if I may say something, the reason why the resident was not removed is because he is a tax payer. Councilwoman Bean said the reason why is because you said (The Mayor) that is my friend and you will not remove him, The Mayor said I

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didn't not say that and President DeGonzague said, enough with this or the meeting will be shut down. He here to conduct a meeting not a circus or argument. If you want to speak, raise your hand and I will call on you.

Resident Christine Raniello this was her first meeting and it seems to me like if anybody goes against Council they get shut down. Tax Payers in the town, people who volunteer their time, or have complaints, they get shut down, I am sorry but that is called freedom of speech. She also asked about rules on speaking at meeting, Councilman Lesjack stated rules were handed out and if you would like to speak you are to raise your hand and you will be called on. He also stated you are not allowed to speak when we are giving are reports out.

COMMITTEE REPORTS

ADMINISTRATION: (Robert Lesjack)

Councilman Lesjack made a motion to accept the Minutes from September 3rd, 2024 seconded by Councilman Scalzo all responded "Aye", none opposed.

Councilman Lesjack made a motion to accept the Special Meeting Minutes from September 18th, 2024 seconded by Councilman Scalzo all responded "Aye", none opposed.

Councilman Lesjack made a motion to accept the Special Meeting Minutes from September 30th, 2024 seconded by Councilman Scalzo all responded "Aye", none opposed.

Council members reviewed the Treasurer's Report for September 2024. Councilman Lesjack offered a motion to accept the Treasurer's Report for September 2024. Councilman Scalzo seconded the motion. The roll call vote was seven in favor, none opposed.

Councilman Lesjack made to motion approve a new sewer computer system in next year's budget for \$1138.99 from Topp Copy. Councilwoman Woody seconded the motion. Councilwoman Lynch questioned is this just for sewer and garbage billing, and my second question was that I brought up that the sewer and garbage billing be put into property taxes like other Boroughs do. Councilwoman Bean made the motion to table it, seconded by Councilman Lesjack. All in favor to table the matter.

Councilman Lesjack made the motion to approve resolution #13-2024, the removal of former Council V.P. Cost from the sewer debit/credit bank account at FNB. Councilman Scalzo seconded the motion. The roll call vote was seven in favor, none opposed.

Councilman Lesjack made the motion to approve resolution #14-2024, the removal of former Council V.P. Cost from all bank accounts at HNB. Councilman Scalzo seconded the motion. The roll call vote was seven in favor, none opposed.

Secretary/Treasurer Yankauskas distributed the 2025 budget worksheets for department inputs; 2025 UC plan rate notice will remain at 2.85%, no increase from 2024; The Annual MS4 report was submitted to the PA DEP on 09/25/24; PA Auditor General issued the 2024 State Aid Allocation for Volunteer Fire Relief Association for \$8,186.05 received on 09/18/24, processed the payment to the F.C. Fire Department Relief Assn on 09/27/24, filed form 706B on DCED Municipal Statistics site as required; 2024 Municipal Pension Allotment Act 205 payment of \$16,897.68 paid to PMRS on 09/27/24.

PUBLIC WORKS: (Bernard Scalzo)

The Public Works report for September 2024 was offered. Councilman Scalzo read the following into record: Changed sign over library put up new entrance way, put up two new reader boards on Borough building, pushed back bamboo on Railroad, South and Center Streets, weed wacked Kennedy Park, power washed library windows and sidewalks, put away barbeque grates, fixed bench on Main Street, put cold patch by Zazzera's, trimmed trees at Kennedy Park, trimmed branches on Railroad and South Streets, took down flags on Main Street. Recycling donations for the month of September was \$311. Councilman Scalzo made the motion to

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advertise for Sealed Bids with flaggers for snow removal. Councilwoman Woody seconded the motion. The roll call vote was seven in favor, none opposed. Councilman Scalzo mentioned the yard waste pick for October 15th and 17th. Councilman Scalzo read the two bids for purchase of anti-skid material from Prince Excavating at \$2375 a ton and New Enterprise Stone & Lime \$2395. Councilman Scalzo made the motion to purchase from Prince Excavating. Councilman Lesjack seconded the motion. The roll call vote was seven in favor, none opposed.

Councilman Scalzo read the two bids for new tires for the dump truck. Service Tire Truck Center came in at \$1400, mounted, and balanced and Kost Tire can in at \$1159.80, \$1079.80, and \$1039.80. Councilman Scalzo made the motion for Kost Tire at \$1039.80. Councilman Lesjack seconded the motion. The roll call vote was seven in favor, none opposed. He stated there were no updates on the sink holes. The storm water project is still in the works. He stated he sent JHA emails on the Center Street Project about the water coming down Delaware Street. He said a pipe broke from Delaware Street down to the Pocket Park. A resident questioned the storm water on 600 block of Susquehanna Street as to what can be done because winter was coming. Councilman Scalzo said he would talk to the public works guys to see what can be done.

Councilwoman Lazier asked if the trees on Delaware Street are trimmed. He stated it was a separate project. President DeGonzague said he asked the guys to go up there. Councilman Scalzo stated he looking at either cutting them all down because if it's a dangerous tree, I don't what them trimmed because we will have to do it again next year. If they are dangerous cut them all down. President asked the guys to trim them. Councilwoman asked if the stairs are closed, Councilman Scalzo said once winter comes, they will be. Councilwoman Lazier said she have received complaints that there is sheet of metal sticking out of them and that someone going to get hurt. Solicitor McAndrew stated to close them. Councilman Scalzo will have the guys look at them. Councilwoman Lazier also asked if the stairs are included with the Pocket Park which she was under the impression there are. Yes, they are included. She also complained about the water issue down by her house on Main Street.

BUILDINGS & GROUNDS: (Sarah Woody)

Councilwoman Woody stated the library asked for a new door with a panic bar. She stated the two quotes, Mesko Glass came in with \$3420 for a 36" x 84" and Art Tech Glass Company came in with \$675. Councilwoman made the motion for Art Tech Glass Company. Councilman Lesjack seconded the motion. Councilwoman asked to table it because we just spent all that money on the roof and have two different color paints on the building now, why not get a whole new door from Mesko Glass. Joe Woody explained what he thought of why not to purchase a new door and just put on a panic bar on the old one. The roll call vote was seven in favor, none opposed.

COMMUNITY & ECONOMIC DEVELOPMENT: (Amy Bean)

Councilwoman Bean updated us on the Action minutes and agenda. Councilwoman Bean also reminded us about Halloween on Main Street on October 30th from 5 to 7.

PARKS & RECREATION:

President DeGonzague asked Josh from Parks & Rec for an update on September Vendor Market. He stated that there were 40 vendors, had a raffle basket. He thanked everyone for a great season. He also mentioned the next event was in February for the soup off. Councilwoman Lynch read a letter written from Kathy Kernoschak about not having a department head until the spring so council can get themselves together. Solicitor McAndrew ask to reconsider this next month because recreation boards work differently. She will investigate this and report back to them next month. Josh stated that there are certain members don't get along and if you put that someone there, that you will lose members of Parks & Rec.

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Someone from the audience asked if you (Josh) threaten council. It was tabled until next month.

COMMUNITY SAFETY & HEALTH: (Tracey Lazier)

No Updates

CODE ENFORCEMENT (Robert Lesjack)

Councilman Lesjack read the Code enforcement monthly report for September 2024 for total calls of 35.

MAYOR'S REPORT: (Mayor Christopher Ginton)

The September 2024 police report was distributed for review. He announced the Steam Town Marathon was Sunday, October 13th at 8:00 a.m. and that they are looking for volunteers. He also announced the drug take back on Saturday, October 26th from 10 a.m. to 2 p.m. He was asking to approval from council for 4 new tires for the 2020 Dodge Charger. Councilwoman Lazier made the motion. President DeGonzague seconded the motion. The roll call vote was seven in favor, none opposed. He asked if the guys can clean up the streets before the marathon.

SOLICITOR'S REPORT: (Solicitor McAndrew) (Solicitor Favreau)

Solicitor McAndrew had no updates. Councilman Scalzo asked her if she ever looked into the \$95,000 from PPL on the roof project. She said will investigate. Councilwoman Lazier asked about the lights that are out on the Main Street because a certain tax payer keeps asking about it. Councilman Scalzo said he called PPL to replace them. Solicitor McAndrew then said she did look at the PPL and that there were no contracts with them and Councilman Scalzo said basically it was a verbal contract, that we need the poles moved and they did it. Solicitor Favreau was absent.

CONTINUED BUSINESS: (President DeGonzague)

Councilwoman Woody updated on ATV'S. Governor Sharpio will be signing into law a change that will allow them to get from trails to places to get gas, food, etc. This should take place in the next couple months. The Mayor stated he is having a conversation with Lynn Concard. A resident asked if they can get gas at Turkey Hill and go direct to get something to eat. Councilwoman Woody she council would have to come up with an ordinance.

NEW BUSINESS: (President DeGonzague)

President DeGonzague asked about William Penn Apartments. Councilwoman Bean stated that she was contacted by her neighbor who works there and that the gentleman that was taking care of the monument cannot do it anymore due to age. Councilwoman Bean asked the guys to clean it up. Councilman Scalzo will have the guys from now on to do it. Councilwoman Lazier would like it decorated for Halloween on Main.

CLOSING PUBLIC COMMENT:

Tom Fitzsimmons asked the President about an invoice on the expense report, and he said moving forward that he would take care of it. The President stated he would pay for it from now on. You are agreeing to do it. Tom asked the Secretary/Treasurer if she had it down on the notes, she replied it is on the recorder. Councilman Lesjack stated it was due to the police officer response from a prior meeting. Councilman Lesjack also said Council approved paying for the constable. Tom asked why did the officer come. President responded that he didn't ask for the officer to come, that he ask for them to be on patrol. The Mayor stated he asked for the

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officer to come. Councilwoman Bean stated that what the problem is here, if the Mayor asked them to come, whatever the Mayor tells them do, they do it. She said that Council can't control that. Tom said from what he understood that the resident that was "disruptive" wasn't disruptive, that he was stating his opinion and that one person thought he was disruptive, the President, and there is a lot of room for error. Councilwoman Bean said you were not here, and everyone seen what happen and the officer did not response to an order, and the solicitor even said the President is in charge of the meeting and the officer should have taken the resident out. If the officer did what he was told, we would have a constable. If the Mayor gave an order to the officer, what do we do then. Tom spoke he was President of council back in the day, Councilwoman Bean said times are different now, Tom said the fact of the matter is we are paying double and that the President agreed to pay for the constable and now he is not. Councilwoman said the Trevor in on duty now whether he is here or on patrol, the officer didn't do what the President asked, so a constable is here.

Kathryn Singer asked about the trees on Delaware Street, Councilman Scalzo said ownership of the land is still in question and there is complication with PPL wires going through the trees. He also said he would explain it in more detail after the meeting. The President said PPL said that the branches can be trimmed, and he asked the guys to trim them. Solicitor McAndrew said there was no intimate danger and to get a professional to look at them and go from there. If the city does it, they will bill the resident for it.

Carla Stackhouse asked when did they stop having copies on previous meeting, Secretary/Treasurer will have them available at the next meeting. She also commented on the incident about the officer not doing his job. Councilwoman Lazier said she didn't feel the President should make decision for all of council just because he is the President, he a tax payer if he wants to scream and yell, he can, but because of "Robert's Rule" everyone was talking could not make out what was said.

Someone in the audience stated that we have an elephant in the room and it time to address the elephant, in case you didn't notice we have a lot of unhappy people in this room today, why do you think everyone here is unhappy. We voice whether there is a member that should not be serving, or a bill on the expense report, and whenever someone comes here and brings something up that the President doesn't like or other ones don't like, it's right away trying to intimate them, we have someone here for the first time, do you feel her. This is terrible, this needs to be addressed, it has been going on for 6 months, all these people been coming here with concerns and they not looked at or heard. You want us to treat you with respect, maybe we should have it too, pay attention to us.

Eric Burns talked about the update on ATV'S, yesterday I sat in my yard and watched side by side after side by after going up and down Maxey Street and your worried about them going to business, you haven't approved anything yet, so I am asking again can you enforce and of that stuff, I live here, it's annoying, and now there a council member that lives on that street and we have to listen to it, and it's a violation of vehicle code. Please do something.

Jason asked about the report on 501 Main Street property, Councilman Lesjack said it wasn't on his report to read and he can go to the office and fill out a Right-to-Know form. Also asked about the Borough Building sign, Parking for boro officials, he stated we have to pay to park when we come to town. Councilman Lesjack said we have duties to come here.

Carrie Kelleher stated the reason why the resident was not removed is because of the first amendment. She presented to Council a hand out on something that happened years ago, the asked if she lived here and she replied born and raised. She said Christopher your President did you at any point in time did you point a firearm at two different people, he replied no, and she said then what does this article say, does anyone what a copy of this. He said he was not charged. She said oh because I am on council so you didn't get charge, he said he wasn't on council then, she said you did point a gun on someone in Elegante and she will have that person here next time.

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ANNOUNCEMENTS: (President DeGonzague)

President DeGonzague announced the next regularly scheduled Council meeting will be, Monday November 4th, 2024 at 6:00 p.m.

ADJOURNMENT:

President DeGonzague asked for a motion to adjourn. Councilman Lesjack offered a motion to adjourn, seconded by Councilman Scalzo, all responded “aye”, none opposed. The meeting adjourned at 7:36 p.m.