

**MINUTES – TUESDAY, SEPTEMBER 7, 2021**  
**FOREST CITY BOROUGH COUNCIL MEETING**

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At 5:30 p.m. President Nick Cost welcomed everyone. All stood for the Pledge of Allegiance. Roll Call taken: Present – President Nick Cost, V.P. Bernie Scalzo, council members Robert Lesjack, Joann Matarese, Chris DeGonzague, Amy Bean, Mayor Ginton, Solicitor McAndrew & Secretary/Treasurer S. Vannan. Councilwoman Lazier missed roll-call, arrived for the 6:00 p.m. meeting, and left at 6:05 p.m.

President Cost passed the meeting to Solicitor Marissa McAndrew to conduct a “Public Hearing” as follows:

**PUBLIC HEARING**

Solicitor Marissa McAndrew began the hearing by welcoming everyone and introducing herself. A notice of this Hearing was published in the Forest City News on Wednesday, 8/25/21 and Wednesday, 9/01/21. She introduced the applicant and his attorney and explained that this Hearing was to consider an application by David R. Trichilo, dba Rae & Hads Mkt. and Wilson Creek Realty to permit by Resolution #5-2021 the transfer of PA Eating Retail Dispenser License from the Borough of South Montrose to his establishment at 604 Main Street, Forest City, aka Zazzera’s Market.

Solicitor McAndrew asked the following questions of Council:

Does anyone on Council have any interest in the property, the application or own property within 300 feet of the property subject to the application? All responded “No”.

Does anyone on Council stand to gain or lose any financial benefit as a result of the outcome of the Hearing? All responded “No”.

Does anyone have a reason to not be able to hear & consider the application in a fair and objective manner? All responded “No”.

Has anyone engaged in any communications with either the proponents or opponents of the application outside of this hearing? All responded “No”.

Does anyone wish to make a comment at this time? No one responded.

The solicitor asked the applicant to comment on the application. She began by swearing in owner David Trichilo. Mr. Trichilo offered the following, “I am requesting this transfer to continue my plans to add an addition on to the existing structure known as Zazzera’s Market where the previous adjacent structure was damaged by fire. The damaged structure will be removed and replaced with a single-story addition to the market for the purpose of beer & wine sales, with seating for 30 people and food sales. It will be separate from the store but with convenient access making it a one-stop shop. I believe it will increase Main Street traffic and benefit the community”.

President Cost asked, “Will you sell six-packs to go?” Trichilo responded, “Alcohol sales are limited to 192 oz., so up to a 12-pack can be purchased per visit.” President Cost continued, “What about parking?” Trichilo answered, “We have the lot across the street.” President Cost asked if the building was to be demolished. Trichilo responded, “Yes, because of delays with the insurance claim, the building is filled with mold so it has to come down. I plan to demo down to the foundation and replace it with a single-story structure with market access expanding the size of the existing market to 3,000 sq. ft. This will start once I’ve secured the necessary permits.”

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Council members Bean, Lesjack, Matarese & Scalzo had questions about separate entrances, dedicated registers for alcohol sales, carding, age of employees and the façade on the storefront. Mr. Trichilo answered that many things are still to be worked out, but plans will include separate entrances and registers if required, cashiers will be over 21, everyone will be carded, the market will be approx. 1,500 sq. ft. and the beer/wine/food area will be another 1,500 sq. ft. The façade will match the Zazzera's market façade and will be in keeping with the rest of Main Street.

Solicitor McAndrew explained that public comments & questions could be offered. There were none. Solicitor McAndrew asked for closing remarks from the applicant, he had none. Then asked for additional comments from Council. There were none.

Solicitor McAndrew stated, "Unless there is anything else, that concludes the Hearing and the application and Resolution #5-2021 will be considered by Council at a later point in the meeting."

### **REGULAR MONTHLY COUNCIL MEETING**

President Cost called the Regular Monthly Council Meeting to order at 6:00 p.m. and the Pledge of Allegiance was repeated to begin the meeting.

#### **PUBLIC COMMENT** (*specific to agenda items*)

President Cost opened the floor for public comment, none offered.

#### **COMMITTEE REPORTS:**

Parks & Recreation was presented first so that Councilwoman Lazier was able to leave early.

#### **PARKS & RECREATION:** (Tracey Lazier)

Councilwoman Lazier made a motion to purchase a used pizza oven for \$500. Seconded by Councilwoman Matarese, approved with a 7 to 0 roll-call vote.

Councilwoman Lazier then reported on the Parks & Recreation activities – the handicap swing installation was completed by Calachino Masonry. All materials & labor donated by Dave Calachino. Thanks to volunteers, Nick, Dave, Tracey, Jim & Mark.

The Kennedy Park swimming area is closed as of September 6, 2021. Buoys & poles will be removed. Still seeking estimates for remodeling to the bathrooms. The Police Memorial will be at Kennedy Park on Saturday, October 16. The next Vendor Market is Sunday, September 19<sup>th</sup>.

Donations "In Memory of Henry "Hank" Majdic for Kennedy Park have been coming in. Thank you to all those who donated and to the Majdic family.

Barry Saam is donating a golf cart in a few weeks. A Water Drop-off was held at K.P. on Sept. 4, for the Forest City and Browndale Fire Departments. Thank you to volunteers and all those who donated.

#### **ADMINISTRATION:** (Joann Matarese)

Councilwoman Matarese offered a motion to approve the Regular Meeting Minutes from August 2, 2021. Councilwoman Bean seconded the motion. All replied in favor, motion carried.

Councilwoman Matarese offered a Motion to approve the August 2021 Treasurer's Report and approve all disbursements for August 2021. Councilman Lesjack seconded. Roll call vote – 6 to 0 in favor. Motion carried.

2022 MMO worksheets for Uniform & Non-uniform pensions were distributed. Uniform Borough contribution \$0. Non-Uniform municipal contribution - \$9,509 covered by the annual state contribution. Motion by Councilwoman Matarese to approve both. Councilman Scalzo seconded. All responded in favor and the motion carried.

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The 2020 Audit & Financial Reports prepared by Brian Kelly CPA & Associates were distributed. Late this year due to major changes within the PMRS that delayed some of the reports necessary for DCED filing. There were no comments or questions.

### **PUBLIC WORKS:** (President Cost)

President Cost offered the Public Works report. July/August Recycling donations - \$534, built storm drain on No. Main with 1,600 lbs. Sakrete. Removed 6 loads of debris from ditch at Kennedy Park.

Councilman Scalzo added, “Excessive dumping at the borough garage continues to be a problem. The pit is filling up quickly. Fill should be limited to yard waste. Need to prevent the dumping of garbage which has become an issue. Considering changing the hours and limiting access to the area or dump by appointment only. Hoping that will keep garbage out. Councilman Scalzo is working on a solution with public works.”

Received an invitation from Powell’s Sales & Service to the Annual Customer Appreciation and Municipal Show. It will be Thursday, Sept. 16 from 8 a.m. to 3 p.m., lunch will be served. Council members and public works who want to attend.

President Cost, Councilmen Scalzo and DeGonzague met to determine which alleys will be plowed by the borough. The condition of some of the alleys has damaged borough equipment.

The following alleys **WILL BE PLOWED:**

- Alley from Center to Dundaff St. in the 600 block between Hudson & Susquehanna Streets;
- Alley from Center to Depot St., in the 500 block between Susquehanna & Lackawanna Streets;
- The Forest City side of the alley behind the houses on Main Street, entrance near Select Tissue;
- Dirt road entrance into Kennedy Park (Park Street), around the circle and back out to provide access to the park building.

The following alleys **WILL NOT BE PLOWED**

- Alley from Main Street to Higgins Street in the 600 block of Main;
- Alley from Center Street, halfway in the 600 block, between Hudson & Delaware Streets;
- Alley from Center to Depot Street in the 500 block between Hudson & Susquehanna Streets;
- Alley from Center to Dundaff Street, 600 block between Susquehanna & Lackawanna Streets.

Councilwoman Bean offered a motion to accept the committee’s recommendation. Seconded by Councilman Lesjack, the motion carried 6 to 0 in a roll call vote. The list will be posted on the Borough website and in the Forest City News.

### **BUILDINGS & GROUNDS** (Robert Lesjack)

Councilman Lesjack reported that he and Solicitor McAndrew are putting the finishing touches on the 3<sup>rd</sup> floor rental agreement, should be ready for the October meeting. Once the agreement has been confirmed, plans for an “Open House” will begin. Still seeking a cleaning person for the 2<sup>nd</sup> & 3<sup>rd</sup> floors. The ad will be in the F.C. News again and it continues to be posted on the Borough website with the application. Councilwoman Bean offered a suggestion, “Maybe one of the cleaning people from the school would be interested in the job.” Councilman Lesjack agreed to contact the school.

### **COMMUNITY & ECONOMIC DEVELOPMENT:** (Amy Bean)

Councilwoman Bean announced that “Halloween on Main Street” will be on Wednesday, October 27, 2021 from 4 p.m. to 6 p.m. There will be food, face painting, “sponsor a pumpkin”, etc. with all proceeds donated to the Holiday Light fund. The August activity report from Eastwick was distributed and it can be found on the Borough website as well.

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Juliann Doyle from the GFCBA handed out a flyer about the upcoming “Outdoor Towns” meeting to be held on Thursday, Sept. 9 at 6:00 p.m. in the F.C. Historical Society Building. She asked council members to attend. Ms. Doyle thanked Cindy Stone for getting the announcement up on the white board. “This will be a roadmap to revitalize the Borough.”

### **CODE ENFORCEMENT - SAFETY & HEALTH** (Bernie Scalzo & Chris DeGonzague)

An invitation from Susq. Co. EMA was distributed. Elected officials are asked to a luncheon on 10/21/21 for Hazard Mitigation Plan Updates. This is required annually to make the five-year plans easier.

Councilman Scalzo received 4 bids for the installation of 550 ft of guiderails in the 500 block of Delaware Street. Chemung Supply - \$10,185.40 (used), Minichi Contracting - \$21,150 (new) or \$16,200 (used), Green Acres Contracting - \$20,313 (used) & PennLine - \$20,650. Councilman Lesjack made a motion to accept Chemung Supply’s bid for \$10,185.40. Councilman Scalzo seconded the motion. A roll call vote was taken, six in favor, no one opposed. Councilman Scalzo will contact Mr. Phil Prunoske to confirm acceptance of his bid.

### **MAYOR’S REPORT:** (Mayor Christopher Ginton)

August 2021 Police Report and the Vandling invoice for September 2021 patrols was distributed.

### **SOLICITOR’S REPORT:** (Atty. Marissa McAndrew)

Attorney McAndrew asked for a motion to adopt Resolution #5\_Liquor License Transfer. Councilman Lesjack offered a motion to approve Resolution #5. Councilwoman Matarese seconded the motion. All agreed in a six to zero roll call vote and the motion carried.

### **NEW BUSINESS:** (President Cost)

President Cost read a letter from Rail Trail Council regarding storm damage to bridge on Rt. #247 and a section of sidewalk in Browndale. Lynn Conrad from the Rail Trail Council asked council for their support and financial assistance if possible”. President Cost asked her to talk about it in the “Public Comment” section of the meeting.

### **CONTINUED BUSINESS:**

The agenda item regarding Alley to be plowed was covered at the beginning of the meeting, voted on and approved. (See Public Works). A request from Catherine Singer for handicap parking in front of her home at 716 Delaware Street was revisited. Councilwoman Bean met with Ms. Singer and felt the request was reasonable. Councilman DeGonzague offered a motion to approve the request. Councilwoman Bean seconded the motion. The roll call vote was five in favor, one opposed (Councilman Lesjack), the motion carried.

### **CORRESPONDENCE:** (President Cost)

A Thank you letter from Stephanie Sojka-Reisch and Paul Kalasinski of the F.C. Neighborhood Watch for the purchase and installation of the Neighborhood Watch signs at the road portals into the Borough. The letter also requested their participation in the “Outdoor Town” meeting to be held on 9/9/21 at the Historical Society. President Cost advised her that she should contact Juliann Doyle to discuss their request.

The B/S/S/T Area Agency on Aging requested a donation to help them to continue to serve the over 2,500 people in their coverage area who receive their services. Councilman Scalzo offered a motion to contribute \$100 to their efforts. Councilwoman Bean seconded the motion. It carried with a six to zero roll-call vote.

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**PUBLIC COMMENTS or QUESTIONS:** (President Cost)

President Cost opened the floor. Lynn Conrad address Council first with the concerns she has over the storm damage, debris, deteriorating catch basin, bridge concrete wedged in the pipe under the trail. Storm water is eroding the new sidewalk. PennDot has offered temporary fixes, but the catch basin in the Emergency Services property needs to be changed to redirect the water. She is working with Linda Zefran to find a long-term solution like installing curbing from Emergency Services to the bridge. President Cost offered again to make a few calls, “but this is a state road and the damage is the bridge and road in Browndale.” Ms. Conrad added that they got a price for a pipe replacement project that will cost about \$34K and they’ll need help. President Cost said again that he will make some calls.

Catherine Singer asked if the Borough will do anything about the deteriorating sidewalk in front of her home. She recently had the property surveyed and does not own the sidewalk. She feels that it is the borough’s responsibility to replace and/or repair it. President Cost replied, “Per borough ordinance, the sidewalks in front of anyone’s home are their responsibility.”

Jason Obelenus had several suggestions regarding budget plans for the new year, he stated that the borough should “spend it now”. Regarding dumping at the Borough garage, he suggested a sign that says “residents only”. President Cost replied, “It may come to that eventually.

**ANNOUNCEMENTS:** (President Cost)

The next regular Council Meeting will be held on Monday, October 4, 2021 at 6:00 p.m. at which time 2022 Budget worksheets will be distributed.

**ADJOURNMENT:** Councilman Scalzo made a motion to adjourn. Councilman Lesjack seconded the motion. All replied “aye” in favor of the motion and the meeting adjourned at 6:57 p.m.