

**FOREST CITY BOROUGH
MINUTES
MONDAY, NOVEMBER 7, 2022**

CALL TO ORDER: (Robert Lesjack, President).

President Lesjack called the meeting to order at 6:00 p.m., welcomed everyone. All stood for the “**Pledge of Allegiance**”. He then took a moment to remind everyone about the rules, “Please speak only when recognized, stand and identify yourself, your address and whether you are a resident of the borough. Limit your comments to five minutes. Do not interrupt Council members during their reports, save your questions for the public comment sections.”

ROLL CALL:

Present: President Lesjack, Council Members Bernie Scalzo, Amy Bean, Joann Matarese, Chris DeGonzague (by phone), Tracey Lazier, Mayor Ginton, Solicitor McAndrew and Secretary/Treasurer S. Vannan.
Absent: Nick Cost

PUBLIC COMMENT:

Eric Burns asked if public comment was five minutes per person or the entire section limited to five minutes. President Lesjack responded, “It is five minutes per person, but can be longer, all are subject to his discretion. John Kameen questioned the council’s recent private executive meeting. Solicitor McAndrew responded, “I provided legal advice concerning the borough’s liability and financial responsibility with respect to emergency services. It is within the approved scope of Executive session.” Mr. Kameen asked about the use of the Senior Center and hinted at “word on the street”. President Lesjack responded, “The official information will be shared later in the meeting and what you “heard on the street” is not where you should get your information. Council will be considering what will be done with the space in the future, it has not been decided yet.

COMMITTEE REPORTS

ADMINISTRATION: (Joann Matarese)

Councilwoman Matarese offered a motion to accept the Minutes from 10/3/22, Councilwoman Bean seconded. All in favor, none opposed.

Councilwoman Matarese offered a motion to accept the October Treasurer’s Report with cash receipts totaling \$61,393.57 and General Fund Disbursements totaling \$216,600.33 (\$131,010 of that was the semi-annual USDA loan payment). Councilwoman Lazier seconded the motion. All Council members voted yes in a roll-call vote, six in favor, none opposed. Motion carried.

The 2023 General Fund and Sewer Budgets were presented. Motion to advertise was offered by Councilwoman Matarese, seconded by Councilwoman Bean. Roll call vote-six in favor, none opposed. Budgets will be advertised in the Forest City News, on the Borough website and available for inspection in the Borough office. Both budgets will be considered for approval at the December 3rd meeting.

The 2023 rates for Geisinger Health for full-time employees were presented. The increase is 8%, but with the end of coverage for two employees and spouses, the monthly cost will be reduced from \$5,439.18 to \$4,249.35. A savings of \$1,189 per month. A motion to approve the Health Insurance for 2023 was offered by Councilwoman Matarese, seconded by Councilwoman Lazier. All voted yes in a roll call vote, six in favor, none opposed.

PUBLIC WORKS: (Councilman Scalzo)

Councilman Scalzo started by welcoming the new addition to the department. Louella Zender started on 10/4/22. The Public Works report for October 2022 included dismantling and removing the bridge from the spillway at Kennedy Park. Councilman Scalzo thanked Pleasant Mt. Welding for their generation donation of a replacement bridge and installation. The zero-turn mower is still in the repair shop so a rental from Barhite’s was required. The crew removed flags & flag poles in preparation for Holiday wreaths and snowflakes. They cleared two storm drains of accumulated debris. An umbrella roof leak diverter was installed in the borough building attic, more may be purchased if additional leaks are found.

Councilman Scalzo reported that bids are being sought from JHA Engineers for their professional services related to three areas in the borough where pavement is sinking from drainage and run-off issues. They will provide those proposals for the December meeting.

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Only one sealed bid was received for snow removal. Councilman Scalzo opened the bid from Mikloiche Timber & Construction. The quote for snow removal from the curbs at all metered parking areas on Main Street and Center Street up to the bank entrance behind the borough building is \$4,000 per event. Removal will be at the request of council as needed. Councilman Scalzo made a motion to accept the bid, seconded by Councilwoman Matarese, the roll call vote was six in favor, none opposed.

Replacement or repairs to the Center Street stairs are on hold. Other options may be examined. Grants and other funding are being sought for better access from Main Street down Center Street to the Trailhead and may extend up Center Street to the Center Street Park and the stairs. With a plan to combine the two projects. Other suggestions are coming in, i.e., eliminate part of steps by using a path on the right of the park. The one bid received was \$86K and was tabled. Alternatives will be sought.

BUILDINGS & GROUNDS: (Councilwoman Lazier)

Councilwoman Lazier was not ready to propose fees for the rental of Pentecost Hall. She is seeking input and will be working on that for the next meeting. A resolution will be created when the fees have been decided.

Councilwoman Lazier said that she will be seeking bids to paint the Pentecost Hall sign over the stage in the hall to coordinate with the hall colors. Prices may be available for the December meeting. President Lesjack recommended she try to get several bids. Councilman DeGonzague suggested that she contact Tony Wilcox.

COMMUNITY & ECONOMIC DEVELOPMENT: (Councilwoman Bean)

The minutes from the Action Team’s meeting on 10/6/22 and the agenda for their meeting on 11/3/22 were distributed. Councilwoman Bean announced that the KW Oil façade is completed. A big thanks to Paul Daugevelo for Halloween on Main. It was a huge success and brought in a large crowd. Thank you to the Police Department for their presence.

Councilwoman Bean commented that the “Action Team meetings are rewarding to attend”. Finding that things are coming together. The Center Street Park is high on their list, with improved access to the Trailhead from Center Street. Parks & Rec representatives haven’t attended yet, but the Action Team hopes to coordinate with them on the Center Street Park efforts.

Katie Zefran addressed council to talk about their efforts. She said they hoped to engage McLain Associates, a landscape architect to help with the design. They plan to apply for DCNR grants and if a match is needed, they will approach Council with that prior to applying. They hope that Spring 2023 will bring about some of these improvements and are focusing on the lower Center Street sidewalk and making the Center Street Park a focal point. Deb McNamara noted that their idea proved to be more complicated than initially thought. A group meeting with Gary Wilding, KBA that included Mayor Ginton, Julianne Doyle, Bob Lesjack, Bobbi Jo Turner, Katie Zefran, herself and others was held. They walked the area connecting Main Street to the Trail and found there were issues that may make it too difficult to get PennDot approval. Rather than a sidewalk for 2023, perhaps resurfacing with asphalt and adding painted areas for walking & biking, then shoot for sidewalks in 2024.

Councilwoman Bean suggested that other qualified engineers may be sought if needed and that Leeward had offered their help. She offered a motion to give support to the Team and permission to proceed. Councilwoman Matarese seconded the motion. All responded “aye” and the motion carried.

PARKS & RECREATION: (Councilman Cost)

Councilman Cost was unavailable for the meeting. The following report was provided by the Parks & Rec Board – Trunk or Treat at Kennedy Park was successful with over 500 children participating. The next meeting for P&R will be on January 23, 2023. A big thank you to Wally and Mr. Vasquez for painting the Pickleball lines on the court. Thank you to Val Miller for picking up the yellow perch on 11/5 and stocking the K.P. pond.

The 4th Annual Winterfest Soup Cook-off will be on February 11, 2023 from 11:00 a.m. to 2:00 p.m. Registration for soup entries starts at 10:00 a.m. Prizes will be awarded for 1st, 2nd & 3rd place participants. Restaurants & individuals are encouraged to submit entries. No fee to enter, the public is charged \$5 per person to sample all the soups and vote for their favorite(s). Weather permitting, there will be a children’s Ice Fishing Derby – registration @ 8:30 a.m., Derby starts at 9:00 a.m. Ice Skating may also be an option.

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A decision on fees for pavilion rental was tabled. A resolution will be prepared once Fees are determined. The bathroom renovations were also tabled until additional information is provided by CAM Engineering.

COMMUNITY SAFETY & HEALTH: (Councilman DeGonzague)

Councilman DeGonzague began by distributing “Winter Weather Awareness” material with advice on getting safely through the winter months. He noted that he has been unavailable lately due to some health issues that his father has been experiencing.

Councilman DeGonzague has been involved with the MS4 reporting and asked Councilman Scalzo to ask Wally & Louella to keep a record of storm drain cleaning & maintenance for next years report per the recommended guidelines.

MAYOR’S REPORT: (Mayor Christopher Ginton)

The October Police Report was distributed for Council review. Mayor Ginton expressed his thanks to the Police Department for covering Halloween on Main Street and the great job they did for the Steamtown Marathon. He also extended his thanks to Mikloiche Timber & Construction for picking up the trees donated by the McAndrew Tree Farm for the Holiday display on Main Street.

A Code Enforcement Report was not available.

Mayor Ginton asked Council to approve the purchase of ammunition from Witmer Public Safety at a cost of \$2,229.16 to be purchased with Impact Fees. Councilman Scalzo offered a motion to approve the purchase. Councilwoman Matarese seconded the motion. All voted yes in a roll-call vote, six in favor, none opposed. Chief Foley would proceed with the purchase.

Mayor Ginton shared an email from Pierre Bernard from France indicating his intent to relocate to Forest City in 2023. Mayor Ginton expressed his pleasure that our little town was starting to attract new people.

SOLICITOR’S REPORT: (Marissa McAndrew)

In response to recent comments made about “Executive Sessions” Solicitor McAndrew responded that an executive session was held (as previously announced at the October meeting) on October 18, 2022, at 11:00 at the Borough Hall for the following purposes: (1) Consultation with council regarding legal obligations to provide assistance to fire and ambulance and ability to oversee/regulate the use of the funds; and (2) Consultation with council regarding potential liability relating to dangerous overhanging trees in the Borough right of ways and the ability to recover the cost of tree removal from property owners. She added that reporting on executive sessions is not required or that an executive session must be held during a public meeting. The law merely requires that it be announced during a public meeting.

With respect to financial support of fire & emergency services, Borough Code does not require unlimited support, there are limitations. Up to 3 mils can be earmarked for fire services and 1.5 mils for emergency personnel. However, anything over 3 mils requires a vote at the next general election. Council has a fiduciary responsibility to the taxpayers, so Attorney McAndrew recommended opening a line of communication with FCAES regarding review of their financial records. She asked Council to make a motion to authorize her to send correspondence to FCAES to request that they cooperate with an audit by an auditor selected by the Borough. Councilman DeGonzague made a motion to have Solicitor McAndrew begin by sending FCAES a letter requesting an Audit. Councilwoman Bean seconded the motion. All responded “aye” and the motion carried.

Solicitor McAndrew said the other issue discussed at the Executive Session was concerning the liability to the Borough over the complaint about dangerous trees on Delaware Street. It was suggested that Council seek bids for removal. Councilman Scalzo commented, “Where do we draw the line, when is the tree the property owner’s responsibility?” President Lesjack replied, “If it’s considered an imminent danger, then it may be necessary for the borough to act, then recoup the cost from the property owner” One of the properties at this location is owned by Mikloiche, it was suggested that he be asked to remove the other tree as well as his own.

NEW BUSINESS:

The 2023 Meeting schedule was distributed with no change, meetings will continue on the 1st Monday of each month at 6:00 p.m. unless otherwise noted. Councilwoman Matarese offered a motion to approve the

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schedule and advertise it in the Forest City News. Seconded by Councilman Scalzo, the motion carried with all in favor, none opposed.

Announcement was made about the Garbage Fee monthly increase to \$18.50 per month per household or unit. The increase will be seen in the February 2023 bill which covers the month of January. An annual increase was approved with the renewal of the 5-year collection contract with GFL by Resolution #12_2020.

CLOSING PUBLIC COMMENT:

Eric Burns, Delaware Street, asked if the Outdoor Town Action Team supports all the activities in the Borough. Katie Zefran responded that the Action Team's goal is to promote Forest City as an "Outdoor Town" and as a Trail Town that supports the economic growth of the community by connecting the Trail System with Main Street, bringing people in to support local business.

Mr. Burns also asked about the garbage collection rate increase and what size cans are available. He was advised to contact the borough office to exchange cans.

Mr. Burns also expressed his concerns about traffic on Delaware & Maxey Streets and vehicles going in and out of the school in the wrong direction. Chief Foley will remind his officers that they need to patrol that area more often and that Mr. Burns should contact the school if he has issues with traffic at the school.

Catherine Singer, Delaware Street, returned to ask what the borough was going to do about the trees at the location she had previously complained about. Ms. Singer said the worse tree is located at 720/722 Delaware, not at Mikloiche's. Both people at that address are in very poor health and can't afford to remove the tree. Mikloiche's property which is in very poor condition and falling down should be addressed as well. Solicitor McAndrew, although offering no legal advice, as mentioned earlier, it is being investigated. Councilwoman Bean agreed that the trees need to be looked at. President Lesjack noted that these trees are not in front of Ms. Singer's house and the borough has not been approached by the residents at these properties. They will have to be contacted to see if they are willing to take care of the problem.

CORRESPONDANCE:

A letter from Marlea Hoyt, Executive Director of the BSST Area Agency on Aging confirmed rumors that they were vacating the building and giving up the Senior Nutrition Center location. They will be out by November 30th. President Lesjack commented, "Nothing has been decided yet as to what Council will decide to do with the vacancy. Several options are being considered."

A letter from the PA DEP was distributed regarding the issue of abandoned Oil & Gas wells and the need for municipalities to identify and report them to the DEP.

The Susquehanna Co. Dept. of Planning and Development notified the borough that they have adopted a \$25 fee for Review & Comment Actions brought before them effective 10/2/22.

ANNOUNCEMENTS:

The Tree Lighting Ceremony will be on Saturday, December 3, 2022. The event will be from 3:00 p.m. to 5:00 p.m. Following the tree lighting, a concert by the F.C. Regional School Band will be held at the Historical Society building.

Happy Thanksgiving to all and remember to support our Veterans on November 11th.

The next regularly scheduled Council Meeting will be Monday, December 5, 2022 at 6:00 p.m.

ADJOURNMENT:

Councilman Scalzo made a motion to adjourn. Councilwoman Matarese seconded the motion. All responded "Aye" and the meeting ended at 7:12 p.m.