

**FOREST CITY BOROUGH  
MINUTES  
TUESDAY September 3<sup>rd</sup>, 2024**

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**CALL TO ORDER:** (President DeGonzague, presiding).

President DeGonzague called the meeting to order at 6:01 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, Mayor Glinton, Secretary/Treasurer Dennise Yankauskas. Absent was Vice President Nick Cost, Solicitor Marissa McAndrew, and Nathan Favreau.

**PUBLIC COMMENT:**

President DeGonzague opened the floor for public comment. Jason Obelenus 612 Railroad Street questioned Council now that the scaffolding is coming down is PPL removing the poles from Zazzera’s or going to remove the poles against the building. He stated that Mr. Cost was looking into and he not here and Councilman Scalzo spoke that PPL will be removing the poles and be going back to the original way. Councilman Scalzo said that PPL claims that is was putting some kind of “load” on there system which Councilman Scalzo said he didn’t understand. They will be back to the way they were. Jason said ok just a waste of money over \$65,000. Councilman Scalzo said as far as that goes, the first price you mentioned that was with the generator’s. Councilman Scalzo we ordered something else, that they quoted us the price with the generator’s and if we needed poles it was quoted \$95,000 that it was less if we needed generator’s for two weeks, that PPL thought we ordered hamburgers but we needed steaks. President DeGonzague said that the engineer’s screwed up. Jason wanted to know if a refund is possible, Councilman Scalzo said he doesn’t think we can reclaim that because PPL thought we needed a generator for two weeks and turned out to more that charge for what the job was. Councilman Scalzo he was not defending them and he doesn’t like it but he doesn’t know what they can do about it. Jason said is the solicitor going to check into it because PPL missed quoted us and it is not our problem that it is PPL problem that they should eat that. Councilman Scalzo said that what they quoted us. Jason stated to look at the contract, that it should be in writing that PPL would have required multiple signatures. President DeGonzague said he did ask the engineer’s about trying to keep the poles there and take down the wires down. President DeGonzague would ask Solicitor McAndrew to question PPL on a refund.

Stephanie Sojka-Reisch 609 Hudson Street stated she has a letter to read that she gave to the Mayor and council regarding the PA State 2022 for fireworks. This letter is a follow up to the August 2024 council meeting when I spoke with you about fireworks and the last thing you said to me from your seat was that you would get back to me. To date I have not heard back from you. In the July 2024 Forest City News letter to the editor I spoke the July 4<sup>th</sup> fireworks display within the Borough limits. She stated she would like to know what you are going to do about this subject. This letter is to ask questions, since a holiday is a factor, I would like to know the following: a) if a non-qualified person sets off illegal fireworks and injured someone and hits a house and starts a fire is that person responsible for the damage and b) If a police person knowingly and does not act on Law 74 is the Forest City Borough liable and can the Borough be sued for damages. She went on to say about the La Italiana Festa in Scranton over Labor Day weekend that they had an accident with the fireworks that burnt two small children. She stated the committee cancelled fireworks from then forward and replacing them with drones of some sort. She stated that the solicitor was not here and would like someone to answer the legal matter on this. President DeGonzague stated he would have the solicitor to back to her.

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**COMMITTEE REPORTS**

**ADMINISTRATION:** (Robert Lesjack)

Councilman Lesjack made a motion to accept the Minutes from August 5th, 2024 seconded by Councilman Scalzo all responded "Aye", none opposed.

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

Councilman Lesjack made the motion to advertise ordinance #525 the 2018 International Property Maintenance Code. President DeGonzague seconded the motion. The roll call vote was six in favor, none opposed.

Councilman Lesjack made the motion to accept the resignation letter from V.P. Cost. Councilman Scalzo seconded the motion. The roll call vote was six favor, none opposed.

Councilman Lesjack made a motion to purchase a new safe for the front office not exceed \$250. President DeGonzague seconded. The roll call vote was six favor, none opposed.

Councilman Lesjack read that the CD matured at \$214,044.05 need a motion to roll over or take and pay the roof loan off. Councilman read the rates aloud. Councilman Scalzo made the motion to pay off the loan. Councilwoman Woody seconded the motion. The roll call vote was six favor, none opposed.

**PUBLIC WORKS:** (Bernard Scalzo)

The Public Works report for August 2024 was offered. Councilman Scalzo read the following into record: Put out barricades for light parade, trimmed trees on Welsh Road and Kennedy Park, more fill on Center Street above borough building. Councilman Scalzo stated there was a problem with the storm drain coming from Delaware Street in to Center Street. Tony who work for KBA engineering sent a map seeing if we can tap into a storm drain kitty corner across from Delaware Street would save problems trying to come down the bank. Waiting for him to get back to us. Cleaned all storm drains in town due to three bad rain storms, replace screens in borough building, repaired driveway on Roxy Road, pick up cardboard from Kennedy Park from the food pantry drive, cleaned the creek at Kennedy Park from storms took 15 loads of dirt removed, trimmed tree branches on Erie Street, replace lift pump on back hoe, put up two new flags at Kennedy Park, knocked down bamboo on corner of Maple and South Street, helped Frugal Living put flag pole back up. Recycling donations for the month of August was \$210. The \$30,000 that was approved they will start on September 4,5 and will probably take a day or two be on site and one gentleman that was here questioning some of the problems at his place that he was confused with JHA and KBA. KBA does in fracture and JHA does sink hole projects. The Mayor asked where they are from President DeGonzague answered Montrose.

Someone from the audience (did not identity) spoke up and asked do mean the section from Hudson Street down to Delaware Street was that addressed yet. Councilman Scalzo said that is coming out of the one driveway and they said well yes but, I talked to Chris after the last storm and I was flooded, showed him video's and the road turns this way and everybody water from Hudson Street came into my yard, had to walk with no shoes on and the water was up to my ankles, my basement got water, it was like a river coming out of Hudson Street. The storm drain on Maxey's Street is not hooked up to anything. They were gouges down the hill about a foot deep. Councilman Scalzo agreed. I have called Penn Dot and nothing is getting done. President DeGonzague stated he had a meeting with them on another issue and spoke with the guy and they don't have the power to bring them to court. He said Penn Dot solution was that

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we can put in storm drains in. The winter is worse when it freezes. President DeGonzague spoke with Kyle and Kyle was taking care of the storm drain check the Maxey Street drain. President DeGonzague stated that Penn Dot said we are responsible to clean them. He also stated that Penn Dot said it was also our responsible to clean the ditches. President DeGonzague stated we will try to get something done before winter hits.

## **BUILDINGS & GROUNDS:** (Sarah Woody)

Councilwoman Woody stated roof was completed with just the company to pick up some equipment. Councilwoman Woody read a request from the Library asking the Borough Council that the old front door of the library replace the original door of the library that leads to children section of the library to be an emergency exit with a push bar only to be opened from the inside. We are getting price quote. President DeGonzague stated the gutter system was installed and the shingles should last 30 to 35 years. President DeGonzague said the company will be back to pick up some left over material.

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

Councilwoman Bean updated us on the Action minutes and agenda. Katie Zefran spoke of Woodland Design and talked about the walls for Center Street Park and in process of getting a GEO tech to help with the walls.

## **PARKS & RECREATION:** (Nick Cost)

Councilman Scalzo read for out- going V.P. Cost on the thank you from the fishing derby and the fireworks display. The following was read: Thank you to Thompson Fire Company, Forest City Fire, Ambulance & Police Departments, NEP for sponsoring fireworks, all the volunteers who helped with fishing derby, Elegante's donated the pizza, Frugal Living donating prizes, and NEP and Lion Club with-out their donations it wouldn't be possible.

## **COMMUNITY SAFETY & HEALTH:** (Tracey Lazier)

President DeGonzague read the request from GFCBA asking for the Borough to help co-sponsor to close roads from 400 block to 600 block and corner of Dundaff Street from 5 p.m. – 7 p.m. for trunk and treat. Councilman Scalzo made the motion, seconded by Councilwoman Bean. The roll call was six in favor, none opposed. The Mayor for someone to get with to figure it out like last time.

## **CODE ENFORCEMENT** (Robert Lesjack)

Councilman Lesjack read the Code enforcement monthly report for August 2024. There was 46 total hours for the month of August. The Mayor questioned his hours, that people in town asking, President DeGonzague said he is on call 24 hours a day. Secretary/Treasurer gave his phone number to the Mayor.

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

The August 2024 police report was distributed for review. The Mayor announced that the new ticket books are out and parking ticket went from \$10.00 to \$20.00. The Mayor announced the resignation letter of Patrolman Charles Cavanagh vacating a part-time police officer position effective August 4th, 2024 due to work load at full time job and growing family. The Mayor also announced the resignation letter from Patrolwoman Jennifer Esterline effective immediately due to conflict of interest at her job at another police department.

The Mayor announced the intent to hire part-time Patrolman Vaughn Black at a rate of \$18.25 pending his background and certification checks. Councilman Lesjack made the motion, seconded by Councilwoman Woody. All in favor, none opposed. The Mayor presented Strategic Management Planning Program about different grants for projects in the community.

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Anyone with questions he would gladly explain. He stated he spoke with Lisa Burns and she would like to meet with us to discuss further about the ATV's. The Mayor will set up the meeting.

Councilwoman Woody asked is this only ATV's or in general. The Mayor said just ATV's, grants, etc.

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

Both Solicitor were absent from this meeting. Solicitor McAndrew has a letter from Stephanie Sojka-Reisch with question to be answered.

**CONTINUED BUSINESS:** (President DeGonzague)

President DeGonzague stated ATV's were just talked about. The trees on Delaware Street will be continued to look at them that he talked to Mrs. Singer about them and we will do something her.

**NEW BUSINESS:** (President DeGonzague)

President DeGonzague mentioned about grant writing proposal, Councilwoman Woody stated that this person actively writes grants and she gave us a financial booklet and we are just putting it out there and that I am unaware if anyone does this, and if there is someone that she would love to hear from them. This is something we are thinking about because of all the grants out there. The Mayor stated that Lisa Burns also does this kind of things also.

President DeGonzague mentioned that we are looking into a payroll system to do payroll to limit problems, that we had a payroll mistake one time and was also corrected but it would benefit the borough and save some money that way too. He also mentioned about the sidewalks to KBA (Tony Grizzanti) and he said he doubted it because the plans are already approved by Penn Dot and I reached out to April and waiting to hear back from her. President DeGonzague is trying to get Penn Dot to say the OK, but Tony is saying the designs were made. President DeGonzague said he measured it and taking a foot off is taking one or two bricks off and I don't see it being trouble.

Kim Coles asked who does payroll now, Secretary/Treasurer spoke up, and Kim asked how is saving money. President DeGonzague stated there was incident when the Secretary/Treasurer was still new and I felt it would be easier because of accusations being made. Kim stated that we all make mistakes and if was corrected, how is spending money to pay someone to do payroll saving us money. President stated the State Police and the D.A. were involved and speaking with the State Police they think it was a better option. Councilman Scalzo said it not going to save us money, Kim also replied that. President DeGonzague said he was looking into a couple a companies. Kim stated it an ethics thing not money saving thing. He also said the finance committee will sit down and go over it and get back to everyone.

Carrie Kelleher said right now we down two police officers, and hiring someone to do payroll, how is that saving. President DeGonzague said we are not down to two police officers, that we have two full time officer's and everyone else is part time. She said how much overtime they have because there is not enough part time officer's. President DeGonzague will leave that up to the chief and Chief Foley replied maybe 20 hours per month. The Chief said we are not over budget on this. The Mayor asked how much this payroll company will cost. President DeGonzague said that is what there are trying to figure out still. The Mayor asked about what was July Fees 2024 Legal \$622.50 for, President DeGonzague Secretary Yankauskas to give the Mayor a copy of the invoice. President DeGonzague stated it was for working on the update on ordinance and coming to the meeting. The Mayor would like a copy of that bill. Someone from the audience asked about a bill from Solicitor McAndrew and Secretary/Treasurer replied that she hasn't had a bill from her since June.

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**CLOSING PUBLIC COMMENT:**

Karla Stackhouse questioned again about changing the direction ordinance 522 back to the original direction. That on Saturday she was leaving her house, that two cyclist came flying down Erie Street going the wrong way and if it had been 15 seconds later, I would have had a new hood ornament, seriously injured, or I would have wrecked my car. Also this afternoon my child trying to come to the house and there were trucks blocking the entire road and there was no way to get to our home without going the wrong way. President DeGonzague asked where it was blocked and she stated that it was the whole block of Grand Ave. and she would show a picture. This is not the first or last time Michiocle Construction has done this. The Mayor asked where they were going, if the Michiocle or was it tractor trailers. She stated Michiocle. She also asked when Councilman Cost position will be posted. President DeGonzague said he was a little sad he resigned, that he thought Solicitor McAndrew was going to be here and she was not, that he needs a couple of days and will be posted in the paper. She also stated that you have two attorneys and not one of them are here. He answered that was told that Solicitor McAndrew was coming and that was at 4pm and then I don't know what happen. She said if they are not to be here and he stated they are only paid when the attend.

Katie Zefran said from the Action Team, to that point there will be a bike line there and Karla said that your saying that and I live on that hill, I don't know how you're getting a bike lane and vehicle lane on that hill large enough with Steven vehicle traveling that road. You talking construction vehicle's the wide ones and that corner is tight enough and you're going to put a bike lane on it. I was told I was going to hear from the engineer explain this and never heard anything. For it to be wide enough for that. Katie said they will leave it up to the engineer. President DeGonzague asked Katie to speak with them, that knew it was part of the project going on, and she replied it is and it's in the two phrase. She also suggested a retail ordinance governing businesses in a community, one was passed in a city limiting smokes shops.

Tom Fitzsimmons said you answered one question about the solicitor noting being paid when they are here. He asked about council members, President DeGonzague according to the borough code they get paid whether they are here or not. Why do we need two solicitors now, I have been here 49 years and we only had one solicitor in that time frame? President DeGonzague stated with thing getting more into Code Enforcement now, Solicitor McAndrew agreed with it because she has been over loaded. Tom asked what was rate an hour, President DeGonzague said \$150 an hour that both are the same and he also asked what is the retainer fee, there is now. Tom said, ok, now there is one cop there and one cop there, they are paid employees and why do we need a constable. President DeGonzague said he spoke with Officer Dzanis, and was not sure if relayed the message to the Mayor, the Mayor asked what was the message, President DeGonzague said from now on only one officer at the meetings. Tom asked no why is the constable here when two officers are here. President DeGonzague said they was an incident that happen and the officer present at the meeting did not handle the incident, Tom said they didn't, President replied no they didn't, Karla replied that the officer didn't handle the incident the way you (President DeGonzague) wanted handled, and Chief Foley and will never be friends but he followed the chain of command. President DeGonzague said at a council meeting, the council president whoever it is, he I gave a direct order, which I did, and he refuse. The council approve the hiring of a Constable and out of the generosity I paid him. Tom said that the tax payers are already paying for the Constable and the Constable spoke that no tax payers fund pay us. Tom asked then who pays for you to be here, and President DeGonzague said he does, someone answered so the borough does, he said instead of the borough paying which was agreed on, someone said at the emergency session you had, you hired your own

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lawyer, he replied the lawyer was hired because Ms. McAndrew, Mr. Lesjack and Mr. Unis and she agreed to have a separate lawyer for Code Enforcement. Tom said let's get back to the constable, President DeGonzague said instead of putting the police on the stop which they should be on patrol, will have a constable here. Tom said let me get something straight, you paying for this man to be here. President DeGonzague said instead of giving the tax payers the bill, I am paying for it and there is nothing wrong with that. President DeGonzague said it charity to the borough, but after tonight since we approved it for \$50 per hour, then the council will pay it. Tom asked who is "we" President DeGonzague said the council, Tom said that you just said you are paying, President DeGonzague no, Tom said so now council going to pay the \$50, President DeGonzague said if you want to make it an issue, and the cops don't want to do their job. Tom said so council will pay this man, you just did a flip flop, President DeGonzague said I am. Tom said he is not done, President DeGonzague said times up, Tom said there is nothing on here about time, President DeGonzague said yes, there is 5 minutes. Also, Tom asked that council enact a resolution to have sitting council member removed due to having been found guilty of a crime. President DeGonzague said it was a misdemeanor, and according to the borough code, it is up to her if she wants to stay or leave. We can't force her off, it is the borough code and I think you know that because you use to be on council. Tom said he asking you for a resolution to ask her to leave.

Paul Venditti from AJM Corp on Higgins Street again called attention to what he feels are serious problems in the town new traffic plan. His company been there for years and only has about 5 or 6 deliveries or pickups. He said some are held up because Frugal Living has about 3 or 4 tractor trailers waiting. Sometimes Higgins Street is even passable in his block. He also stated that he doesn't think anyone looked into his problem since May. President DeGonzague said a plan was done with Council Members and Solicitor. The Solicitor will look into and Council will consult with her.

Amy and Bill Vaughn Hudson Street, along with Eileen Lynch asked for action be done on the increase water condition caused by runoffs from the 300 Block of Hudson Street and the state route. That there are major problems both in the summer and winter months. President DeGonzague said he thinks the best solution is put a catch basin. He said he will check with the Solicitor if she sent a letter to Penn Dot. The residents would like it fixed.

Carrie Kelleher asked that we don't violate her 1 amendment right freedom of speech, So I start with this, after last month meeting we proceed to get nowhere with Amy Bean, however there is a public record in we can access, and states that money taken from us and this woman is still on council. I just want to know how everyone feels to have a person on council that is on probation, and subject to \$200 in payments. President DeGonzague asked for no personal attacks, but why is she on council, this is a personal attack on us all. President DeGonzague said if you have problem please go to Harrisburg and complain to Supreme Court to rewrite the borough code, that I am following the borough code but she replied you are not, he said that he was, and she replied she was convicted and he replied yes of a misdemeanor. Carrie asked how are we going to solve this when she stole tax payer's money of all us working. President DeGonzague like I said, go to Harrisburg and try to change it. Carrie said she has the facts, the president said he is trying to conduct business and it a circus anymore. Someone from the audience spoke then remove the problem. He stated he does not have the power. I told what the borough code was, that Honesdale did the something and the borough got sued and the person got their job back.

Carrie also wanted to know why the state police where at the borough building, he said he said it earlier and that where here on a payroll situation. That Dennise was new and made a mistake and that the problem was fixed. Also asked President DeGonzague if he was a New York City Police Officer, he replied yes, and asked if he was discharged and replied no, well do you have a permit to carry a firearm and would like to see it. Someone said, Chris and he said I was vested out that I was in 911 why all you people where at home watching it, I was out

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responding. Sarcastic applause along with chatter around the room made it impossible to understand to what was being said.

Joanne Matarese asked council to do some clean up in the dog park. Also she thanked Nick for his service to the Borough. Jason Obelenus contended that the public outrage over the continued refusal to remove a council would end if council would just take action.

**ANNOUNCEMENTS:** (President DeGonzague)

President DeGonzague announced the next regularly scheduled Council meeting will be, Monday October 7th, 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.