

Freeland Borough Council Meeting Minutes / 25 January 2024

Members in Attendance

Barbara Tulanowski
Joshua Richie
John Budda
Rich DeStefano

Absent- Marilyn Calderon Cruz (arrives after Citizens Petitions)

Information transcribed from an audio recording

Barbara Tulanowski calls meeting to order

Pledge of Allegiance

Roll Call

Joshua Richie makes a motion to amend the agenda, section XI Committee Reports, to add item 4(a) to designate the vacant seat as Bill Youmans' with an end date of January 1, 2026. 2nd by John Budda. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Rich DeStefano – yes. Motion passes unanimously

Joshua Richie makes a motion to amend the agenda, section XI Committee Reports, to add item 4(b) to designate the vacant seat as Joseph Murmello's with an end date of January 1, 2026. 2nd by John Budda. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Rich DeStefano – yes. Motion passes unanimously

Citizen's Petitions

Matthew Krone from Birkbeck Street thanks Council for properly addressing the agenda items that needed to be amended. He suggests that the minimum bid for the Crown Victoria should be \$4,000.00 not \$1,000.00 as proposed by Council due to the new tires, good condition, and the previous Crown Victoria being sold for \$2,450.00 in 2020. Mr. Krone feels it may be inappropriate for Council to hire new Code Enforcement officers tonight because the positions have not been publicly advertised in over a year. He agrees with Council's plan to sell the stakebody truck but recommends placing the minimum bid between \$25,000.00 and \$30,000.00. Mr. Krone asks Council to reconsider accepting the quote from Kowalski to repair the heating system because the previous Council had applied for a \$250,000.00 LSA Grant for this building last year and the awards have not been released yet. He also states that it's possible to do the job in-house for around \$1,500.00. He finishes by stating that he served on Council for 4 years, he put in a letter of interest for one of the vacant seats, he has a vast amount of institutional knowledge, and would be happy to work with these individuals as he did with 12 different individuals that cycled through Council and the Mayor's office from 2020 through 2023. He offers everyone the opportunity to ask him any questions before he leaves the podium. There are no questions.

Therese Morrison states she has an issue but it's not on the agenda. She said she will wait until the end.

Officer Nominations

Barbara Tulanowski asks for nominations for President.

Marilyn Calderon-Cruz nominates Joshua Richie for president. 2nd by Rich DeStefano. There are no other nominations. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Rich DeStefano – yes. All in favor 5-0.

Joshua Richie is now presiding over the meeting.

Rich DeStefano nominates Barbara Tulanowski for Vice President. 2nd by Joshua Richie. Roll called. Barbara Tulanowski – yes, Joshua Richie –yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Rich DeStefano – yes. All in favor 5-0.

Rich DeStefano nominates John Budda for President Pro Tempore. 2nd by Joshua Richie. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Rich DeStefano – yes. All in favor 5-0.

Acceptance of Minutes

Rich DeStefano makes a motion to accept the Regular Meeting Minutes from December 21, 2023, the Reorganization Meeting Minutes from January 2, 2024, and the Special Meeting Minutes from January 10, 2024. 2nd by Joshua Richie. Motion passes unanimously.

Secretary and Tax Collector Reports

There were no deposits from the Tax Collector. The General Fund ending balance was \$292,121.21 Liquid Fuels total ending balance was \$35,296.04, and the Savings Account balance was \$47,657.61.

Barbara Tulanowski makes a motion to approve the Secretary and Tax Collector reports. 2nd by Joshua Richie. Motion passes unanimously.

Payment of Bills

Joshua Richie reviews the bills from each account.

Barbara Tulanowski makes a motion to pay the bills excluding the \$35.00 membership fee from Luzerne County Boroughs Association. 2nd by John Budda. Motion passes unanimously.

Mayor's Forum

Nothing at this time.

Comments and Recommendations

Engineer

Joshua Richie states that the engineer is unavailable tonight but he is currently working on the payment applications for the Storm Water and Paving Project.

Solicitor

Attorney Baranko states that the resolution he drafted for Joseph Murmello's seat requires a revision because the term expiration date was erroneously documented as a 4-year term. Council is permitted to take action on the appointment tonight.

Committee Reports

Budget, Finance, & Administration

Joshua Richie reports that Council is still working on transitioning the FBDA accounts, debts, and assets to the Borough. He hopes to have it completed by the next meeting. Joshua Richie shares that the Garbage and Storm Water Bills are being processed and will be mailed shortly. The garbage bill will not reflect the increase to \$250.00 until the June 2024 billing cycle. He states that the Freeland Borough newsletter, The Freeland Flyer, will be included in the mailing.

Linda Lindsey takes her seat at the Council table as Chairman of the Vacancy Board. Linda Lindsey opens the floor for nominations for candidates to fill Bill Youmans' vacated seat which will expire on the first Monday of 2026.

Rich DeStefano nominates Tom Meyers. 2nd by Barbara Tulanowski. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Richie DeStefano – yes. All in favor 5-0

Joshua Richie makes a motion to adopt Resolution 2024-1 filling vacant seat of Bill Youmans with nominee, Tom Meyers. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Richie DeStefano – yes. Motion passes unanimously.

Joshua Richie states that Mr. Meyers needs to provide a notarized Affidavit of Residency and be sworn-in prior to taking his seat.

Linda Lindsey returns to her seat in the audience.

Attorney Baranko explains that Joseph Murmello was unable to take the 4-year seat he had won in the election and pursuant to Section 903 of the Borough Code we have the obligation and the right to declare his seat vacant. The seat was to be filled on January 2, 2024 with a 10-day waiting period until January 12, 2024 at that point the seat was declared vacant. The term will end on the first Monday of January 2026.

Joshua Richie opens the floor for nominations to the Joseph Murmello vacated seat.

Barbara Tulanowski nominates Frank Kislán. 2nd by Marilyn Calderon-Cruz. Attorney Baranko asks if there are any other nominations. There are none.

Barbara Tulanowski makes a motion to adopt Resolution 2024-2 filling vacant seat of Joseph Murmello with nominee, Frank Kislán. 2nd by Marilyn Calderon-Cruz. Roll called. Barbara Tulanowski – yes, Joshua Richie – yes, John Budda – yes, Marilyn Calderon-Cruz – yes, Richie DeStefano – no. Motion passes 4-1

Joshua Richie shares that there are multiple vacancies on the Zoning Hearing Board, Technology Committee, Planning Commission, and UCC Planning Commission. He urges interested members of the community to submit letters of interest to the Borough office.

Police, Code Enforcement, and Zoning

Police and Public Safety

Chief Maholik reports the department had 72 documented calls for the month of December. He shares that the department issue 442 parking tickets and 190 citations in 2023. He states that January to date has over 100 calls for service. He reports that the Yukon is at Pat's Auto Shop for issues with the electric fan. Chief Maholik reminds Council of his question regarding 'petty cash'. The 2023 Ford has been delivered and is almost in full-service. He shares that he has been communicating with a student at the Police Academy who has requested an application be emailed to them to disburse amongst several other students. He is anticipating receiving 6 applications from that conversation. He states that he had an agreement with the previous Council with regard to an expense limit that would not need Council approval. He states that he was capped at \$500.00 previously. He would like the same arrangement with this Council. He stresses that he will call a council person prior to making the purchase even if it is under the threshold just to keep everyone in the loop. Chief Maholik asks that research to determine the terms of the current

members of the Civil Service Board be expedited. He would like to meet with the Civil Service Board prior to the testing of applicants. He reminds Council that he has provided the information for Easy Street Draw for crash reporting.

Joshua Richie states that Council is still reviewing the Smart Safety Software Easy Street Draw Editor.

Code

Joshua Richie makes a motion to sell the Crown Victoria on Municibid with a minimum bid of \$1,000.00. 2nd by Rich DeStefano. Motion passes unanimously.

Joshua Richie makes a motion to approve YCG quote for removal and installation of TDY from Yukon to the PIU in the amount of \$180.00. 2nd by Barbara Tulanowski. Motion passes unanimously.

Joshua Richie makes a motion to increase Code Enforcement Officer Richard Wysocki's hourly rate to \$20.00 per hour. 2nd by Barbara Tulanowski. Motion passes unanimously.

Joshua Richie makes a motion to increase Code Enforcement Officer Jonathan Veet's hourly rate to \$20.00 per hour. 2nd by Barbara Tulanowski. Motion passes unanimously.

Joshua Richie states the Borough will table the hiring of new part-time Code Enforcement officers until next month.

Zoning

Nothing.

Streets and Sanitation

Lorne Rish thanks the part-time snow plow drivers for all of their help. He reports that the 5500 Chevy has been outfitted with the new spreader and they will be picking it up tomorrow. They had one breakdown with a hydraulic hose problem. The department replaced the cutting edges on the 3 trucks, performed regular monthly department maintenance, and changed the locks on the annex. He also reports the department boarded up Feist's candy stand on Front Street, the Cottage, and today, PGA. He thanks the Police Department and Code Enforcement for their help at PGA.

Joshua Richie makes a motion to place the GMC Stakebody Recycling truck on Municibid with a minimum bid of \$15,000.00. 2nd by Barbara Tulanowski. Motion passes unanimously.

Fire, Light, & Water

Chief Stepansky gives his report.

19 Incidents for December

14 Hours in service

92 Hours Engineer Training ytd

24 Hours Training December

1846.50 Training hours ytd

Chief Stepansky states he will have the 2023 year end reports ready for the February meeting.

Buildings and Grounds

Barbara Tulanowski makes a motion to approve up to \$6,437.00 for HVAC repairs on the heating system at 526 Fern Street. 2nd by Marilyn Calderon-Cruz. Motion passes unanimously.

Rec Board

Joshua Richie states there are still 4 vacant seats on the Rec Board. Interested applicants should obtain an application from the Borough Secretary. He reminds applicants that all applicable clearances are required to participate on the Rec Board.

Acceptance of Committee Reports

Barbara Tulanowski makes a motion to accept the Committee Reports. 2nd by John Budda. Motion passes unanimously.

Unfinished Business

Nothing

New Business and Correspondence

Barbara Tulanowski makes a motion to approve the road closure on Front Street from Pine Street to Birkbeck Street on May 25, 2024 for the Memorial Day Car Show. 2nd by Marilyn Calderon-Cruz. Motion passes unanimously.

Resolutions and Ordinances

Nothing.

Public Input

Therese Morrison from Birkbeck Street states that there was a situation at the beginning of the month when it rained for 2 days constantly and a neighbor on Johnson Street put a hose in his yard that discharged water down the alley and across Birkbeck Street. She states that she fell on the ice that was at least an inch thick. She reports that Dave from the Streets Department came and salted but the water still poured across and refroze. She complains that it was a hazard for people who had to walk there including all the children who were walking to and from school and for people who were driving up over the hill that didn't know it was there. She asks Council if there is an ordinance prohibiting people from putting water from sump pumps onto the streets. Joshua Richie will look through the Ordinance Books to see if there is something addressing the use of sump pumps.

Linda Lindsey from Ridge Street thanks the five applicants for submitting letters of interest for a seat on Council. She also congratulates Mr. Meyers and Mr. Kislán on their appointments. She wishes them luck and offers help if they need it.

Matthew Krone from Birkbeck Street states Executive Sessions need to be announced at the beginning of the meeting with the reason for the Executive Session. He comments that the raises for the Code Enforcement Officers based on 16 hours per week amount to \$16,640.00 for the year. The budget allows \$34,970.00 leaving only \$18,330.00 left to hire anyone else. He reminds Council that when you make changes like this you need to modify the budget accordingly. He states that he is curious where the \$6,437.00 for the repairs by Kowalski is coming from since it is unbudgeted. He explains that in regards to sump pumps, they are supposed to go towards the street not necessarily onto the street in order to get the water into the storm drains. He concludes his remarks by stating "no man can serve two masters". He explains in December 2016, the Borough had 4 members of the Ambulance Board serving on Borough Council resulting in the only EMS tax in Southern Luzerne County by a 3-2 vote. He states that 2 of the Board members refused to abstain from the vote but thankfully the other 2 board members had the moral fiber to recuse themselves from that vote including Mr. Budda. He fears that history may repeat itself with Mrs. Tulanowski, and Mr. Budda again and now Mr. Kislán and Mayor Palko serving as a tie breaker on Council and serving on the Ambulance Board. He states that the ambulance is still having severe financial problems in spite of that tax. He continues by saying that he attempted to attend the monthly Ambulance meeting and was turned away and he has received no response to the multiple right-to-know requests that he has filed with the Ambulance on January 8th. He states that as a tax payer he is insulted and appalled that an organization that relies upon his tax dollars would not be forthcoming with information. He is putting his faith in Borough Council to hold them accountable. He would like to see a resolution by Council requiring that any member of any board abstains from any council vote related to that organization.

Alba Perez currently from State Route 940, but will be moving to Centre Street soon, states that she is interested in a seat on the Rec Board. She shares that she is a self-taught international mural artist. She is a board member of the Hazleton Art League.

She states that she is the mother of 5 children, 4 of which attend Freeland Elementary. She also states her husband is a contractor and would be interested in a Code Enforcement position. She shares that she has been doing research on the beautiful history of Freeland and is looking forward to being a part of it.

Donald Walters of Ridge Street asks why there are lights on inside the Cottage, are people living there? Joshua Richie responds that the property has changed hands and Code Enforcement is working with the new owners. Joshua Richie confirms that no one is living there. Donald Walters would like to be considered for Code Enforcement. He was encouraged to submit an application.

Adjournment

Barbara Tulanowski makes a motion to adjourn. 2nd by Rich DeStefano. Motion passes unanimously.

These minutes are certified true and correct to the best of my knowledge.

Heather Donish, Borough Secretary / Treasurer

(The proceedings of the Regular Meetings of Freeland Borough Council are recorded. These taped recordings are not meant to be for public record. They are for use by the Borough Secretary in preparing the Minutes of the Regular Meetings.)