

# **Black Creek Township Supervisors Meeting Minutes**

## **June 5th, 2018 2:00pm**

The Regular Meeting of the Black Creek Township Supervisors- held on Tuesday, June 5th, 2018, at 2:00p.m.

Present: Lescowitch; Rohrbach; Adams

### **Pledge of Allegiance to the Flag**

**Public Comment on Agenda Items:** There was no public comment

### **Minutes:**

Chairwoman Adams asked if there were any additions or corrections to the Minutes of the Regular Meetings on May 1st, continued on 7th<sup>th</sup>, 2018. A motion by Lescowitch, seconded by Rohrbach, to approve the minutes of the Regular Meeting, as presented.

Roll Call: Lescowitch yes; Rohrbach yes; Adams yes

### **Financial Report:**

Supervisor Rohrbach will give the township's financial report from May 1<sup>st</sup>, 2018 through May 31<sup>st</sup>, 2018.

General Fund:	\$185,812.75 (\$22,799.70 of general fund money in escrow for fire)
State Fund:	\$101,070.61
Money Market Account:	\$80,402.76
<u>Total Available Funds:</u>	\$367,286.12

Alumni Account: \$4,587.79

A motion by Adams, seconded by Lescowitch, to approve the financial report.

Roll Call: Lescowitch yes; Rohrbach yes; Adams yes

### **Bills:**

Payment of the bills, as presented.

A motion by Lescowitch, seconded by Rohrbach, to approve the bills as presented and to pay any and all bills in all funds that become due before the next regular meeting.

Roll Call: Lescowitch Yes; Rohrbach Yes; Adams Yes

### **Correspondence:**

e-mail from Tarah Toohill's Office:

- Veterans applying for benefits should never come with a fee
- Stopping unwanted phone calls:  
National Do Not Call Registry 1-888-382-1222  
PA Do Not Call List 1-888-777-3406

### **Township Reports:**

#### Zoning Report:

- Zoning Officer, Paul Kattner, read the zoning report for May, 2018
- Dr. Rohrbach made the public aware of an incident that occurred over a zoning issue. An individual fired shots when he saw Dr. Rohrbach walking on her property on May 20<sup>th</sup>. On May 23<sup>rd</sup>, the same individual fired shots when he saw her father walking on the Rohrbach's property. A verbal altercation then took place, where Dr. Rohrbach's father was informed that the exhibited behavior was the result of a zoning issue. Both incidents were reported to state police. She stated that all residents must be treated equally.

#### Fire Company:

- Fire Chief Joe Lescowitch reviewed the activity report for May, 2018.

#### Emergency Management:

- Steve Motil could not attend the meeting

#### Engineer Report:

Engineer: Joe Calabrese

- Township Engineer, Joe Calabrese, gave a report for May, 2018
- Tower Road Bridge Replacement Project: the bridge has been closed by the county
  - The bid for the culvert itself was bid out by the county and awarded to Contech
  - The township needs to bid out their portion of the project, sometime next month
  - One ppl pole needs to be relocated. The township is working with ppl to do this.
  - Construction is estimated for late August or September
- Possible MTF Grant from the DCED, due July 31<sup>st</sup>. 30% cash match by the township.
- Dr. Rohrbach and Calabrese have been working on a detour for the Tower Road Bridge, since it was not planned for by the previous administration. Rohrbach procured the previous plan from Luzerne County. Calabrese explained that the plan has to be reviewed by PennDOT and could take months.

LTAP Technical Assistance, Engineer: Wendy Kelly, portions of engineering report read by Dr. Rohrbach

- Safety Concerns/Recommendations of Chicks Lane Intersections
- Township Guide Rail Assessment

#### Solicitor: Donald Karpowich, Esq.

- The township solicitor gave a report for May, 2018
- The Carty property is up for tax sale on June 28<sup>th</sup>
  - A motion to register and bid at the tax sale was made by Lescowitch, seconded by Rohrbach.
  - Roll Call vote: Lescowitch yes; Rohrbach yes; Adams yes
- Foster Township agreed to bid the new recycling contract with Black Creek Township

#### Road Department:

- The road department report was reviewed by Chairwoman Adams for May, 2018

#### Old Business:

Sewer Authority replacement for George Currilla- no one found

#### Resolution for Alumni Historical Park

- Attorney Karpowitch recommends that the historic site be passed by ordinance. Suggests that rules be set for the historic site.
- Motion to make an ordinance to name the historic site and have rules and regulations was made by Lescowitch, seconded by Rohrbach
- Roll Call: Lescowitch yes; Rohrbach yes; Adams yes

#### Personnel matter- Road Lead, John Ross

- Dr. Rohrbach read a witness statement written by PennDOT/LTAP engineer. The witness statement is attached as part of the record.
- Rohrbach stated she was never informed that Ross was suspended.
- Rohrbach stated that Supervisor Lescowitch is putting the township in jeopardy (legally) because he completely fabricated his story. She explained that all the statements she received the day of the incident coincided with each other.
- A motion was made by Adams, seconded by Lescowitch, to terminate John Ross.
- Roll Call: Lescowitch yes; Rohrbach no; Adams yes
- The audience called out in distain

#### **New Business:**

##### Sugarloaf Falls Standard Addresses

- Luzerne County 911 Database contacted Black Creek Township concerning approximately 25 cabins which need standard addresses.
- A motion by Lescowitch, seconded by Rohrbach, to approve the standard addresses by ordinance.
- Roll Call: Lescowitch yes; Rohrbach yes; Adams yes

#### Resolution for Firetruck

- A motion by Lescowitch, seconded by Rohrbach to apply for a grant for a ladder truck for \$962,000. A resolution must be prepared by Attorney Karpowitch.
- Roll Call: Lescowitch yes; Rohrbach yes; Adams yes

#### Dirt, Gravel, and Low Volume Road Maintenance Grant for T329 Derringer Street, "Dump Rd".

- Dr. Rohrbach explained that Dump road has lacked maintenance for several years. The road receives approximately \$4,000 per year in liquid fuel money, but to keep receiving this, the road must have a 16' cart way and be driven at 15mph. In order to apply for the grant, someone at the township must possess a dirt and gravel certification. Adams holds this, however, the person with the certification must be our on the road the entire project. It was recommended to Rohrbach by LTAP that the road lead become certified.
- Dr. Rohrbach stated that if the road is not fixed, it would have to be vacated, which would be a costly legal endeavor and the township would lose the roughly \$4,000 per year.
- LTAP will help prepare the grant application and will not cost the township anything
- A motion was made by Rohrbach to apply for the grant. There was no second.

- Adams asked if the road were vacated, if a cul-de-sac would have to be put in. The consensus was that a cul-de-sac was not needed.
- Lescowitch and Adams want to look into the issue further.
- Adams asked that the LTAP engineer look at the road. Rohrbach stated he already inspected the road and it is in the report he wrote, but she can ask him to come out again.
- Lescowitch and Adams tabled the agenda item.

Lescowitch made a motion to hire another laborer for the road crew, seconded by Adams.  
Roll Call Vote: Lescowitch yes, Rohrbach abstained, Adams yes

The next scheduled Regular Supervisors Meeting will be held on July 3<sup>rd</sup>, 2018 at 2:00pm.

**Public Comment:**

Rick Davis- Asked if M and J was notified about Hazle Street. Adams stated they were not. Joe Calabrese stated that with the money that was available, it was repaired to the best of the township's ability. It was not the best pave job he has ever seen.

Rick asked about the project not being put out for bid. Karpowich said that the labor and equipment was bid out for a 2 year period. Rohrbach asked if that is a different kind of bid because it is a general 2 year contract. Dr. Rohrbach asked is the actual project of Hazle Street was advertised and put out for bid. Karpowich answered yes, the township put out a bid for a 2 year interval for labor and equipment.

Zack Peak- complained about being cited for building an addition and sheds. Peak stated that he contacted Kattner, who said that he made a mistake citing him for an addition. Peak said one shed was already on the property when he purchased it. Kattner told him he didn't need a permit for a shed. His father was also cited.

- Kattner denied telling Peak he did not need a permit. Could not comment any further due to pending litigation

Ed Vergari- Kattner has been proactive and is doing a good job. Disappointed to see one supervisor call another supervisor a liar at a public meeting. Rohrbach stated that a man just got fired over a lie. It is her job as an elected official to bring to light what really happened and what is going wrong. Vergari wants to know if the supervisors can solve things in private.

Denise Davis- The disciplinary action of John Ross could have been avoided if Joe Lescowitch told the truth. It was Joe and not John who had a meltdown on Hazle Street. It was all made up to get rid of John. The taxpayers are now on the hook for legal fees.

Donna Lupcho- Hazle Street Project: there was not enough money to do what they needed to. She was told by the Sewer Authority that repairs would cost over \$300,000. The 3 Black Creek Township Supervisors agreed to only take \$110,000. No wonder it could not be repaired right.

Joyce Kenise- the action of firing John Ross was unbelievable and unthinkable. Everyone knows John is an excellent worker. He was fired for no reason at all.

Josh Moser- was proud of the supervisors for what they did.

Wayne Brugger- Wants something done with Brush Street. The Water Company said that they were not given permits by township. Kattner will send them a violation notice to expedite the process.

Zoning Officer Paul Kattner asked if anyone knew who dumped the cinder blocks and debris on Hilltop Drive. Placed picture on front table.

Carl Rittenhous- Commends the volunteers of the food pantry. June 13<sup>th</sup> there is a food pantry food giveaway.

Vanessa Cook- would like the meetings to be changes to a more reasonable time, 6:00pm or 7:00pm so working people can attend.

**Adjournment:**

A motion by Lescowitch, seconded by Rohrbach, to adjourn the meeting at 3:41p.m.

Submitted by Saura Rohrbach, D.C., Secretary