

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024**

PAGE ONE

CALL TO ORDER TIME: 7:02

PLEDGE OF ALLEGIANCE: Led by Gerald Yozwiak

ROLL CALL: Peter J. Biscontini, Esq., Ciro Cinti, Robert Sax, Thomas Shubilla, Gerald Yozwiak.

The Sunshine Act requires that those in attendance be given the opportunity to comment before a vote is taken. Anyone wishing to comment on an issue is encouraged to notify the Board prior to roll call being taken on that issue. The Township policy is to limit comment to five minutes. Anyone requiring additional time is encouraged to make arrangements to meet with the Board at a later date. Additionally, all correspondence read or referred to is available at the North Main Street Municipal Building for public inspection during regular business hours. Note that the meeting is being recorded. At this time please turn off any cell phones to avoid disrupting the meeting.

GENERAL ORDER OF BUSINESS

Motion to accept: **Minutes:** Board of Commissioners Regular Meeting of August 8, Plains Twp. Recreation Board Meeting Minutes for August, Land Bank Meeting Minutes of August. **Monthly Reports:** of the Police Department; Fire Department, EMA and DPW for August, Zoning Permits and Contractor licenses Issued and Secretaries Report for August. **Payrolls** of the Administrative and Zoning Office, Department of Public Works, and Recreation Departments. The **Treasurers Report for August:** General Fund Receipts in the amount of **\$1,578,781.56** General Fund Disbursements **\$724,552.16**; Total Ending Balance in the General Fund as of **08/31/2024 \$3,835,477.26**. **BY: Cinti 2ND: Shubilla All for, motion carried**

CORRESPONDENCE – None

COMMITTEE REPORTS

POLICE – This month Chief Binker attended training, he is now certified to instruct how to engage and handle an active shooter. So thank you to Chief Binker. The last few years our department has been attending a lot of trainings with active shooter to sadly be as prepared as possible in that event. We have three new police officers starting this month, and we are still down a few officers, so again if anyone knows of anyone that wants to be an officer have them inquire about when we will be testing again. In the next couple of months we will be having some details about some grants we are applying for for a new police station. End of report.

FIRE – This month we had 139 fire calls, 64 captains incidents for a total of 203 calls. The department has smoke detectors available to install free of charge to any Plains Township resident. Please let the fire department know if you are in need of those Installed 46 to date.

DPW – Last Clutter Pick up October 31, the program runs from March to October. We had 46 tons of recycling picked up this month and 192 tons of garbage. School is back open and our guys are out painting crosswalks, so we appreciate that.

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024** **PAGE TWO**

RECREATION – Fall soccer is in full swing along with Plains Yankees football and cheerleading is up at the park, we just ask that when people are up at the park they be cognizant of that, there are a lot of children running around. Still have Lions pavilion being rented out so there are a lot of people there and there is also softball. All of the guardrails are painted they did a nice job on them and another thing is a lot of residents in the Township have been asking about pickleball that I guess is something that has been a growing activity the recreation board got a quote to have 2 of the tennis courts lined for that. So they will have 2 of the courts will also be for pickleball

CHAIRMAN MESSAGE – On the chairman message I try and provide some sort of information or goofy fact so today is just wanted to congratulate Tom. Tom is going to meet the Vice President tomorrow night at Wilkes. I was fortunate to meet Jimmy and Rosaline Carter at the Plains Antiques. It's pretty neat you can tell that they are different. My youngest son held her purse when she was fumbling for her cell phone. And the Secret Service when right in, so its just different. I was up the DPW on Saturday dumping recyclables and I saw a truck with a snowplow on it, so get ready. Its right around the corner, if your garbage doesn't get picked up they will get to it, plowing the roads is first priority, for public safety we have to get the roads first then garbage will come even if it's a day or two late. We have 800 channels on our tv and I don't even go through 99% of them, but Im on the other day and Ed Sullivan was on, I was a little kid when Ed Sullivan came on, some of you guys probably remember Ed Sullivan. Who is on there but Elvis came on with these guys and they were singing and stuff like that then the Beatles came on, then the Doors, CCR and James Brown and as soon as I saw James Brown I thought of our Solicitor.

OLD BUSINESS –

NEW BUSINESS

Motion to authorize payment of the **General Fund Bills** consisting of the **Utility Bills \$23,880.04; Regular Bills \$246,199.19; Total \$270,079.23. BY: Biscontini 2ND: Sax (Cinti Abstain for Assured Partners Bill) All for, motion carried**

Motion to award the bid for garbage bag contract 6P for a low bid of \$10.41 per case to Keystone Packing **BY: Sax 2nd: Cinti All for, motion carried**

Motion to accept the 2025 MMO for Police, Fire and Non-Uniformed Pension Plans as submitted by AFG Pension Administrators **BY: Shubilla 2nd: Biscontini All for, motion carried**

Solicitors Report:

Motion to authorize payment application #1 of the 2024 Plains Twp. Paving Project in the amount of \$124,486.56 to American Asphalt. **BY: Sax 2nd: Cinti Biscontini against, motion carried**

There was a question on the motion from the audience in regard to some millings that American Asphalt dumped in the wrong place.

Solicitor Menn advised to proceed with paying the invoice because this was addressed

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024** **PAGE THREE**

with American Asphalt by our engineer and the paving contract is not complete so there are still monies being retained.

Motion to accept a letter of retirement from Recreation Department Employee Patrick Delasandro as of December 6, 2024 and approve all retirement benefits entitled to as stated in his contract. **BY: Cinti 2nd: Shubilla All for, motion carried**

Motion to authorize the Solicitor to prepare a resolution of LERTA for Valley Crest Real Estate LP **BY:**

ANNOUNCEMENTS –The next regular meeting of the Board of Commissioners will be held October 10 at 7:00 pm.

TAXPAYERS (Time limit 5 minutes taxpayers must sign in).

Michelle Demich – Mitchell and Reese St. Harassment of Dee

I am here to speak for Dee and there is a huge problem on the corner of Mitchell and Reese Streets. 2 gentlemen are encroaching on twp. property, they have poured a driveway they harass Dee every single day. The Police have been there 9 times. We are told a good portion of this problem is a zoning problem. 70% of their cars have no tags. I put a camera up and they installed a giant tarp and attached it to her fence and secured with cinderblocks on her property to block the camera. The police are doing what they can, they are being cited for an incident that went on with me yesterday when I went there to put up the camera and I cant even repeat the things they said to me. Harry does have video of some of what they say to her. Its unbelievable. She is afraid to leave her house. They run their quads through neighbors yards, drive like maniacs they are constantly screaming at people. Its terrible that the residents that lived there for so long have to live with this.

Commissioner Sax – I was there the other day with Karen, Chief Ritsick and the police we looked at what they did we are going to survey the property supposedly he is coming down on Tuesday to do the survey to see what is ours and it looks like they encroached on our property

Karen – Zoning, I have a letter going out to the individual in covers lot coverage with concrete and unregistered vehicles on the property, that is my portion of what I can cover.

Michelle – I have done research and I don't believe the gentlemen living there own it.

Karen – Its listed as Pittston Management LLC but I don't have an actual name of the officers of the LLC. There are other properties that they own, but I have no names of persons.

Michelle – Right the real estate agent that sold it said the person who purchased it was named Christian Bernard. I don't know if he is a principal of the LLC

Karen – We need to determine who Pittston Management LLC is.

Commissioner Yozwiak – I talked to the Chief, and we already told the Police Chief tomorrow to go down and tag those vehicles.

Chief Binker – We can't if they are on private property we can't go on there.

Commissioner Yozwiak – I talked to Chief Risick the fire department is going to do it. We are going to take care of this

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024** **PAGE FOUR**

Michelle – Ok, its just very upsetting. They are also dumping garbage on River St. a Green Valley employee I happen to know has seen them back their van up and dump garbage out.

Karen – They did purchase property on River St.

Chief Binker – If the cars get tagged and towed off the property then we can run the vin numbers. We will have an officer available to go with whoever is going to tag the cars.

Karen – They wanted to put up a fence but in the flood plane that is not allowed the only thing you can have is the orange removable construction fence.

Michelle – So they put up the 10ft tarp to block everything off, I did include a picture of it so you could see it.

Commissioner Cinti – They will have to take that down if its not allowed

Yozwiak – We will do everything within the law to help you guys out. Unfortunately the curse words, that is different

Binker – With Michelle’s incident there were rude and sexual comments made so I ended up citing the guy. I told her and Mr. Thomas that every time there is an incident every call could hopefully make a case for stalking.

Yozwiak – Ok and our Solicitor will investigate the LLC

Harry Thomas

14 Mitchell Street

Zoning Issues

I have a video that Michelle talked about you can look at before we even start. He is a joke he wont face you face to face he tries to lure you up to his place where the cameras are. Me and my wife walk down the street and he comes out grabbing himself, I don’t need his stress, then he tells me he has a gun. The same thing is going to happen down here that happened in Hudson.

Nancy Thomas – My husband has lived down in the flats since 1966 I have been there for 35 years. We have never dealt with such things. I’m afraid to go out in my yard because he is always yelling at me or making obscene jesters, my windows rattle from the obscene music he plays

Dee – I couldn’t even sit outside on my porch swing with my brother because the turned the music up so we couldn’t hear each other. As soon as we go in they turn it down.

Yozwiak In my 15 years here I have never heard of anything like this, Steve do you have any thoughts?

Attorney Menn – I would file a complaint with the magistrate

Michelle – If they don’t put the music on loud, they park their cars right in front of her patio and cover them in exhaust so they have to go in.

Dee- The cats I feed them twice a day – they get a shovel and dig up the cat dirt and put it on my patio every morning.

Chief Binker – We have never had any phone calls on that – like I said the more calls we get the better chance I have of making a case of harassment against the neighborhood.

Michelle – I have been there when the police we called and we don’t always get the best response.

Chief Binker – I will address that. We don’t want to see anything happen to her. Officers don’t like to cite neighbors because sometimes it just makes the issue worse. But at this point it is necessary. If we can get the case to move to a stalking case we can take it to the DA.

Yozwiak – So we will keep building a case a just give the police some time and we will work this out.

Theresa Marchel

56 Wyoming St

Parking

Hi, I’m back – I appreciate what the little league did with the barriers, but still going down the street new neighbors are parking on the street. So you have them, the little leaguers during the games and everyone is sticking out. There is just enough room for one car. Is there anyway we can enforce the no parking on that street?

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024**

PAGE FIVE

Chief Binker – are you asking me my personal opinion? No I as I police officer and police chief would not cite someone for going to watch their grandson play baseball. We go and ask them to move. If there is an emergency and the truck has to get through they can push the cars out of the way. The little league has been there since 1964 and we will ask them to move cars but we will not cite them, and I can not ask my officers to cite people it would be their choice.

I believe your original complaint was you were block and that was fixed by the little league.

Theresa – Can't we make the one side no parking – they park sticking out and there is only 3 or 4 feet for a car to get through. I'm 68 and disabled and the lady next to me is disabled,

Binker- wait a minute I looked through the reports on this do you know how many complaints we have had on this before you moved in 3 during the all star games your stepdad would sit on his porch and watch the games.

Theresa – Yes but there were times when he called.

Binker – I believe the little league complied with your complaint but you feel free to call the police and the officer will respond and if they want to they can give a ticket.

Theresa – There are different issues every single time. Its supposed to be no parking

Binker – There are a lot of streets in Plains with no parking and parking issues but this one only happens 4 months out of the year, when little league is playing then its over. The little league tried to help you as much as they could. You can still get a car and an ambulance through there.

Theresa – Not all of the time

Binker – Then call the police every time and they will come and ask them to move

Theresa – When they do come sometimes it takes a long time

Binker – That's because sometimes there are more important things happening then a parking complaint.

Yozwiak – I was up there 2 months ago, and I saw someone parked there and called the chief and he said he would send someone and he did but when they got there the game was over and people were leaving.

Theresa– Why can't the coaches tell them to move. That there is no parking or to park at the field first.

Biscontini – There is only so much parking at that field, the little league is complying with the not parking by your home. Realistically I am trying to lasso in 10 5 & 6 year olds, parking is the last thing I'm paying attention too.

Yozwiak – They can make an announcement that the cars should not be parked behind the concession stand. We will work with you and the little league will work with you.

Theresa – I appreciate that. It frustrating that they pull up and drop off and then they back up over my lawn and my sidewalk.

Sax – The last time you were here we went down and I thought we addressed it with the parking angled toward the house.

Theresa – Yeah when they park there they don't park on the road so that is not a problem. But then other people park right on the street

Yozwiak – We will work with you

Deb Bronack – Clark Street

Excess water on the street

On the morning of Saturday August 24 there was no rain and water was gushing from the end of Driftwood all the way down to Clark Street where it went into the drain. This was not the usual water that run when we get a decent rain. This water was gushing and it had ripples in it, that is how much water there was. So, I saw a Plains Twp. Sewer truck followed by PA American Water I went down to the end of Driftwood where they were, and I asked them about the water and the Sewer Authority person said it was coming from a concrete block. Which is not true, so it ran all day long till about 7 pm when it was magically gone. So I called the sewer authority because that gentleman was there and I

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024** **PAGE SIX**

didn't know who could give us answers. I asked where the water was coming from if it was contaminated, was it safe. I never received a call back.

Yozwiak – So you think it was sewer water?

Deb – No it wasn't sewer water but someone opened something.

Yozwiak – So the sewer authority is its own authority, so we would have to find out from them.

Deb – I don't think it was sewer water it did not smell.

Binker – It may have been fire hydrants

Yozwiak – If they were doing flushing in Wyndtree Oaks it travels that far.

Deb – The road is orange, I don't know what that means but there are orange marks

Yozwiak – Well it could be rust, if there is rust in the lines that is why they do the flushing.

Deb – I don't know it is just very suspicious that it ran all day

Cinti – I have the dates so I will make some calls and check with the department.

Deb – Could it have been from the quarry? Do they have a pond or anything?

Cinti – the rock quarry would be more north of there.

Deb – Ok im just saying

Yozwiak – They have water on the rock quarry, but its lower than your house. We will ask the sewer authority the fire departments.

Deb – It is just suspicious that's all especially on a Saturday. There has also been an alarm going off during the night for 3 or 4 nights now.

Shubilla – It kept me up last night

Binker – I heard it this morning. Everyone in this room heard it and no one called 911.

Janet Kashuda – Clark St. Asphalt millings

I just want to know where we are at with the millings on Clark St.

Karen – DEP still has to the 16th to respond. I don't have anything yet.

Janet – we were at the work session on Monday and we asked about the sediment

Yozwiak – The sediment yes, he needs to submit and E & S plan, for the stuff that is draining on to Clark St.

Janet – and how about the dozer that is sitting there.

Yozwiak – The dozer we can't find anything that says it can't stay there.

Janet – It doesn't fall under cars that are sitting

Yozwiak – No, because it's not a vehicle, there is no license plate they don't get registered.

Janet – even though it's a residential, it looks terrible, that and the weeds

Biscontini – Ok wait do you want them cited now for the weeds because before you didn't want to?

Ray – Yes, I am the one who filed the complaint and I did at the last meeting ask the solicitor to wait and not send another letter. But since he hasn't done anything with the millings or anything else, yes I would like it pursued again.

Yozwiak – Ok we will cite him for the high weeds.

Janet – When we first came back from vacation the first pile was dumped then after the August 8th meeting more showed up. Then one more pile showed up, the Tuesday I talked to the Conservation person and she said she spoke to him on Friday. So this is a spite thing and nobody is convincing us otherwise. Don't tell me there is a project going on because there is no planning in place and its zoned residential.

Karen – the part in the front is residential but the portion in the back when I talked to Heather Graham that went through some type of grant from BAMR and any permits would be issue through them. But I don't know for what.

**MEETING MINUTES OF THE PLAINS TOWNSHIP BOARD OF COMMISSIONERS MEETING OF
SEPTEMBER 12, 2024** **PAGE SEVEN**

Yozwiak – that’s preliminary there is no real plan yet. There are 3 cuts to get into that property. But there is no plan.

Resident – what does the ordinance read as far as waste? The general ordinance about dumping waste on property

Karen – That I would have to look up as I don’t know

Janet – can I get someone to test this for toxicity. DEP said no, I want someone to test it and I don’t think I should have to pay for it.

Karen – I don’t know Nick might know

Ray – Can I just ask has anyone contacted him and asked him what his plan is?

Yozwiak – No I have not

Cinti – No

Ray – Why not – this is like the big business man against the little people. Why can’t you defend us.

Attorney Menn – because this board doesn’t have the authority to go to someone on their private property and say to them what are you doing and you can’t do something.

Now, what Karen can do, as a zoning officer she can go there and say, hey listen you put this here and we are concerned can you tell us what is going on, is there a project.

The board can’t do it

Ray – but the board is in control of everything.

Menn – that is not true

Janet – we are the tax payers, you are supposed to represent us. What are you doing for us.

Menn – We have explained to you what is being done.

Karen – I will call him, I just need a number

Joan – Karen you can call down to Stell Enterprises and speak to his secretary and she will get you in touch with him.

Yozwiak – Karen will reach out and talk to him. And make a point to work this out

Jim Gallagher - 23 Perkins Street

Concerned about all of the new people and the increase in crime. Why are they all moving to Plains?

Yozwiak – Well I don’t have an answer for you Mr. Gallagher.

Jim – Things are changing.


Yozwiak – Yes sir things are changing and we just have to work through We are trying the best we can, we have a very good Police Force.

Jim – I just hate to see what is happening in Plains

ADJOURNMENT BY: Cinti 2ND: Yozwiak All for, motion carried TIME: 8:20

Respectfully Submitted by,

Accepted By,



Lynell Ent, Secretary



Gerald J. Yozwiak, Chairman