

# **GLENBURN TWP BOARD OF SUPERVISORS' MEETING**

## **October 16, 2017**

**Board Members in Attendance:** Dave Jennings and Bill Wicks

**Board Guests in Attendance:** Solicitor MacGregor and Secretary Menendez

**Public in Attendance:** Charles Sansky, Ken Jenkins, Ryan Mitvalsky, Dave Abel, Phil Medico, Barbara Monick, Elizabeth Samuelson, Thomas Samuelson, Beth Scialpi, Richard Schwartz, Marilyn Costa, Lynn Sansky

**Before meeting we would like to take a moment of silence for Maryanne Savitsky, wife of Supervisor Mike Savitsky, who passed away. She was a good friend and dedicated wife. She will be greatly missed by all if you had a chance to meet her.**

**Called the meeting to order at 7:30 PM with the pledge of allegiance to the flag.**

### **Minutes**

Motioned to waive the reading aloud and accept the minutes of the September 2017 Township Meeting, By Supervisor Dave Jennings 2<sup>nd</sup> by Bill Wicks, All in Favor.

### **Financial Report/Presentation of Bills**

Total account Payable	\$35,631.47	Assets & Liabilities	\$546,962.98
Payments to		P & L Comparison	
Com of PA # 4 install	\$8,191.73	Net Income current	\$187,824.04
Fire Co. - Dalton & Clarks Summit	\$4,268.68 & \$4,268.67	Net Income 2016	(572,785.55)
Balance a/p in operating expenses	\$ 18,902.39	Diff %	132.8%

**Mo. by Dave Jennings, 2<sup>nd</sup> by Bill Wicks to pay the bills and accept the financial reports as presented by Secretary Bernadette Menendez , All in Favor.**

### **Committee Reports**

**Roads: From Mark Hopkins given by Bernadette Menendez  
Road Report Sept. to Oct. 2017**

**The last 30 days or so the road crew has been going through the township and fixing anything that could cause issues in the winter months. They have been using the tar buggy and crack sealing any cracks on the newly paved roads. The main roads they did were Sunset Ave, Fords Pond and the parking lot at the township building. They worked on Cleaning out the ditches and patching potholes on Fig Ave, Ruth Ave, and Scranton Street. Scranton Street needed the ditch dug out along the hill at the intersection of Fig and the section of the road on the hill of Scranton Street needed pot holes to be filled. They then resurfaced Kiddle Lane with modified. They also cleaned out the ditches and cut back branches and weed whacked the townships right of way along that road. They then patched potholes on Wyndwood Road and made a curb along the side of the road so storm water will not run into their yards. They brought in modified and filled in the depression on the corner of Dean and Wyndwood.**

The same work on White Birch Road filling in potholes that were in the asphalt ditch that runs along the road and making curbs where needed. They also tend to the general maintenance of the vehicles and equipment. They changed the oil in the five ton truck and the Ford F550. They are getting the equipment ready for the upcoming winter months. The township is in need of a few items. Below is a list of equipment. All the pricing is from Co-Star dealers.

- 1) 5 tires for GMC3500 and rear tire chains
- 2) Salt Spreader for F5500 Rear tire chains
- 3) Salt Spreader for Chevy C6500 Rear tire chains

**Estimates from 3 vendors for new equipment for trucks and spreaders**

S. J. Pulver Co, Inc.	Spreader-2 –	\$5,375.00
All vehicles	Installed	800.00
	Shipping	210.00
	Chains	<u>295.00</u>
	Total	\$6,680.00

Powell's for 2000 Chevy Plow Truck Awarded per Bill Wicks

	Spreader	\$3,084.00
F550	Spreader	\$3,034.00

Horlacher & Sherwood Inc.	Awarded	Per Bill Wicks
Tires and Chains	\$1,421.75	

Bill Wicks made motion to get tires from Horlacher & Sherwood Inc.  
 And the spreaders and chains from Powell's 2<sup>nd</sup> by Dave Jennings for the quoted prices

**Secretary Treasurer Bernadette Menendez I would like to make a suggestion to all supervisors that I may be allowed to address this issue to the public at this evenings meeting. To be fair to all the people who attend our township meetings. It would be greatly appreciated that when you are given the floor to speak, state your name and your concern. Speak clearly so I can record properly. Also take into consideration that you will be given time to state your concern and ask the supervisors to advise and if they can answer you it can be done, but please do not repeat the same subject that we have already taken into advisement. We will do the best to take care of everyone's needs as time and money allow.**

**Sewage Enforcement:** Letter sent to Glenburn Services

Malcolm MacGregor – A letter to Glenburn Services regarding the Glenburn Services for residents on sewer services. There was no explanation of why they are doing this. We have our SEO Dave Lamereaux and Gary Wilding to follow up at our request if there is something we need to know that would affect our residents. Dave and Gary have contacted the DEP to see if the treatment plant is in good order. Dave will set up appointment with DEP for a file review on Glenburn Service's. Board is concerned of capacity. He will also get copies of reports. DEP said the plant is in good working order. Dave said he would get back with the info in a week or two once he goes there to review. Then a new letter will go out to Glenburn Services about the review.

### **Tom Wicks -Code Enforcement: Moving Forward on Columbo Property**

Letters sent to Columbo and Abington Little League regarding the debris and items to be removed. Letters were sent to both parties' certified return receipt and regular mail.

Also a letter to Abington Little League regarding the portable lighting on ball field

### **Malcolm – Regarding this letter. Speaking to Ryan Mitvalsky**

A letter from Frank Bolock to Greg Pascale about debris on the property that belongs to Frank Columbo. The quandary on this for Glenburn is / Frank Bolock said if Mr. Columbo does not remove his things from property the Little League will. We (Glenburn TWP) knows the Little League is worried about being sued. As of this time nothing has happened.

Ryan M. – Things have happened. The letter is dated September 24 from Tom Wicks addressed to the Abington Heights Little League.

Doing general inspection of property. Letters crossed in mail. Ryan stated he checks Post Office every 10 days.

Will be removed by October 1, 2017, by the Little League. Ryan said that Mr. Columbo is ready to shoot him. "We can all chuckle about this." Ryan claimed we put him in a predicament with this. Here is his issue and he will try to stay calm about it. No one has raised an eyebrow about this. Ryan had a survey in Jan 2016 and they realized it was little league property. He has issue with the letter and did the same letter go to Mr. Columbo. Malcolm told him yes.

Ryan feels that they are being targeted. Junk has been there for more than 25 years. Shocked over the lawyers all going back and forth.

Ryan has looked over 2 years of township minutes with problem buildings that are still out there from April of 2017, still not rectified. Ryan still says he is still trying to stay cool. The junk has been there for many years and he was shocked over Mr. Tom Wick's letter. He said he came over a year ago for help. It is a civil issue and Frank Columbo has threatened him physical harm.

The Little League removed two compressors to Boots and Hanks

The little league had a board meeting 2 weeks ago. They feel that Frank Columbo can sue them for removing his property off their land. He can claim the VW Bus is an antique and it could cost them legal fees up to \$30,000.00+. He (Frank Columbo) has threatened to burn down my house like he did to people who owe him rent money. Next are the Barriers; to remove them cost over \$1000.00 to remove 4 of them with police protection and then the next step's? He is not afraid of him and he has Home Owners Insurance if he burns down his house.

Bill Wicks stated that you came to us. And he also spoke to Bill Medico, and we can be helpful, Ryan asked what you have done, beside send a letter.

Malcolm said you are not at the meetings to hear what is discussed. Ryan claimed he has read the minutes and they are difficult to read. Where has he been sited?

Malcolm corrected him and told him "This has nothing to do with this", Ryan said shame on me for asking for help. Malcolm said that they try working things out. We have neighbors asking every month. Why are we not moving forward, Greg does not have control over Mr. Columbo? It was supposed to be June 1, 2017.

Many letters sent to Greg Pascal regarding this.

Malcolm told him that what Ryan is sharing with the board, it will go to Magistrate. That is why both parties need to be sent letters.

Should it be resolved and removed. If a Magistrate proceeding and a judgement in our favor and LL wants to do the right thing than the tax payers in Glenburn and go into the common pleas court and the LL has to pay an attorney.

Ryan asked, what is the citation, \$100.00 per day? Mr. Columbo does not care, he has a lawsuit in Dickson City for dumping sewage. No we do not worry about fees. We just want it resolved said Malcolm.

This could go all the way to the Supreme Court and cost the little league thousands in fees.

Is it a criminal offense asked Ryan, No it is not? He would be in contempt of court.

Ryan is having RLE Enterprises Towing Services to

# 1 remove barriers

# 2 have Fliegelman's come with a container.

If you want to site us go ahead.

Malcolm told him with the upmost respect, not targeting the Little League. We have every intent to enforce it, we are not just sending letters to you.

Tom Wicks said he took pictures because he did not have permission to go on property.

Mal said communications with Greg Pascal on this is 2-1 with Frank Columbo He promised to remove by 6/1/17.

He wants to get this done.

How do you turn around and say do not move it.

**Bill Wicks** wants to explain that the property is part of the sewer plant is on. It all one parcel. Survey is sole owners of property. Makes a difference to what is junk. This is a utility, not everything is junk.

There's a 2 different way to look at it. There is equipment that is for operations of utility.

Otherwise it is zoned residential. It would never be allowed.

Ryan said the 24 foot truck was moved 2 or 3 months ago. 1<sup>st</sup> thing to go.

Malcolm generally rural communities has zoning, some don't, Glenburn does, and we always try to be fair. We do not have Tom drive around to check on properties, But go only to calls to check on complaints. Other communities do have people go around.

Malcolm. - He will follow up with Frank on this that they were here for meeting discussion.

Ryan - Mention of minutes siting us the way is typed up is financially bringing a citation which when you read the public minutes **which he believes are somewhat awful** is like slapping us with a \$100.00 a day fine. Way the minutes are interpreted. We may want to watch about that.

Dave Jennings asked if that amount was put in there, about \$100.00. Ryan said No, but the little league will be cited. Malcolm said he does not get the citation.

Tom told him if we filed a new citation every day, if there would be an inspection today nothing will happen. If Tom Wicks filed at the Magistrates office tomorrow and file.

Malcolm said only happened once in the township.

Ryan M asked "What's the end game in the citation". Knowing it can take months to a year?

Malcolm said what happens most of the time is People need A Wake up Call to go in front of the magistrate. Objective 3<sup>rd</sup> party. It's gone way too far. Will help get things resolved.

Ryan M feels they will still be sued the minute they remove this stuff. He promised us that. Mal said you can go to your lawyers.

Ryan said going before the Magistrate to get the ball rolling with a guy who just does not care.

Malcolm said he does not agree. It requires a lot of attention and effort.

Dave Jennings asked Ryan M if Frank Bollock aware of you coming tonight. Ryan M said no because they are coming to the end of their budget and he just wanted to talk with the supervisors about something we are trying to control about the land and the junk.

Malcolm said do you understand what you are saying about the financial end of it. That it's not an issue we are pursuing at this moment.

Ryan feels that magistrate Keeler may impose after a 30 day period.

He can't go to Frank Columbo and say Thanks Frank now we have a citation for \$10,000.00 to move the junk

Malcolm said that why you go the next step and the next step.

Ryan M said that's great for people who have an unlimited pocket.

Malcolm told him that is not true, it's the township residents that would foot the cost. Tax payer's dollars. We don't want to do this. We do not have an unlimited. We are very judicial.

Ryan M said that he wants to show us the process. Deems a citation.

Read the minutes they are very negative, it states that they are going be too slapped with fined. He pulls up the minutes about the building behind the Glenburn Grill and South Turnpike Road. Was anything done about them?

Malcolm said anyone can read minutes the way they want. I do not say that disparaging. But if you came to meeting you would see and hear what is going on. The residents here understand.

Ryan asked about the building being cleaned up. Bill Wicks said it is not behind the grill. It's on the side. And yes it is taken care of.

Malcolm said are not always resolved in one meeting. Ryan said yes it is more like years.

That's how things work, I guess I do have to come to more meetings

Malcolm welcomed him to come.

Dave Jennings asked Ryan about Mr. Columbo threatened your life. , Ryan -He did in less words than that If he was on his property he would settle the right way with three of his guys.

Dave then said he did he ever say "he would kill you or threaten you with bodily harm"?

Ryan said he would have some guys meet me over there

He does not go there without an escort.

Anxious or wary about when he goes to move the barriers and he has his German Shepard and He knows his truck. He spoke to another trash hauler to move the stuff out.

Dave asked Ryan M. how did he do the removal of the compressors. Ryan said they went around the jersey barriers.

Dr. Samuelsen asked about how he has claimed ownership of his property. Ryan said survey is right because Frank said no till they all had a meeting in March and then said ok.

The week of September 25, 2017 the Abington Little League sent a certified letter return receipt letter stating to Mr. Columbo that he had till October 1, 2017 to remove property or the LL will consider it abandoned junk. Then Ryan said that if Mr. Columbo then tries to sue them for the classic cars for \$100,000. They can take to Magistrate Keeler to show proof that they sent him warning that he had a time frame to remove all his junk. Ryan said that Greg Pascal told them that his client did receive the letter, but no response to little league.

Bill Wicks said that he remembers a different situation where the attorney sent a letter about storage fees. About removing their items or pay after so many days. Or the property would be taken.

Ryan said his legal advice told him by doing that you admit it is his property. The way it is being stated now it is just abandoned junk.

Malcolm said better to get in court and get it moving.

Other code enforcement By Tow Wicks

Abington Little League – Lighting. Sent a letter certified mail on Oct 10, 2017. Ryan M has not picked up his mail.

Portable Lights are being used is

Glare from lighting is in violation of ordinance 601.8 of the township ordinance regarding glare coming from the Manufactured District Lighting.

Malcolm asked how many days are left.

Ryan M said that the coming Thursday.

Malcolm said that Thursday is the last day.

Dave Able and Phil Medico spoke up. The highway lights are for excellent job sites and defused. They are designed not to glare, not to effect a driver.

Tom Wicks - He has been on Old State Rd and checks to make sure and the lights were on 9/26,9/29,10/2,10/2,10/3,105,10/6.

Malcolm – this is the 1<sup>st</sup> year the lights are on the field.

Tom Wicks – Enough light not just on fields, Little League not bright enough to finish the games.

Tom Wicks- 25 ft. light would not works.

Dave Able – Standard by little League is not what they recommend, not contusive. A player could not see if he looked into the lights to catch a ball.

Tom Wicks – up to the board, only three days left. We will ignore it. Not move forward

Malcolm – Tom was responding to the complaints.

The Consensus –the board their feeling / season is wrapping up / not to peruse the issue. Good faith of the board

Ryan M- Board / as long as it meets ordinance lights on driveway and parking lot.

Malcolm- no problem.

Ryan – As long as the light are there for safety for the parking lots and walkways.

Malcolm said as long as for safety for the children.

Dave Jennings in regards to call and complaints.

When someone calls in to complain, if they call in anonymously we will not go out unless we have a name & number of complainant. Township will not direct Tom Wicks to go out.

### **Old Business:**

Gretchen Ludders and Dina Dakey would like to give more info on the Citizens Commission for Legislative & Congressional Redistricting. Told them we will table till next month.

### **New Business:**

Ryan M – on August 21, 2017 going over the minutes and it said the Supervisor Wicks has been in touch with the AAJRB and spoke to Bill Reese, they are offering a lighted field at little or no cost to the Abington Little League, but the AAJRB has never heard from anyone from the Abington Little League.

Supervisor Wicks asked him to repeat his statement, then he stated he had a discussion with Bill Reese and that they would love to work with them. It's the opportunity to make it happen

Malcolm asked him if he knew Bill Reese and said he is a terrific Grant writer. Ryan said he met Bill Reese once.

Ryan said no one ever offered him anything. He would speak to them tomorrow if he can. No one ever said anything to him. He was talking to Jim Davis who is on the AAJRB and said it was never brought up about the Abington Little League being offered a field, and Jim speaks to Bill Reese daily, no one ever mentioned a grant, no one mentioned Sid Michaels, or a filed with lights.

Also when the minutes are approved and put on the web site, the minutes are incorrect then.

Bill Wicks said he never spoke to Jim Davis and only to Bill Reese, who is the president of the AAJRB that was August meeting. Mal asked if he never had any idea of it before that.

Marilyn Costa said she was at the meeting and remembers the conversation that Bill Wicks stated.

Bill mentioned at the testimony, Mal said it was mentioned many times at the testimony and to come in and pretend you were not aware of it. It was discussed at a public meeting and there was a transcript of it. I do not want to go TIT FOR TAT. Bottom line is if the minutes were lacking in any way you certainly knew before that. There was discussion out of here.

Ryan said he would go over this with the Bill Reese any time, if there is an offer for this.

Bill Wicks Said that is exactly what it is, an opportunity to over this for a field with lights.

Ryan said he will go over it tomorrow night.

**Dave Jennings asked to go over something that Malcolm did not cover yet.**

Can you help me to understand why did you put all those things on Face book about the volunteers of the zoning hearing board?

Ryan M said you can get into the whole free speech thing, but Frank Berardelli was an Abington Heights teacher, speaks to kids about doing good things in the community growing, taking part in extracurricular activities actively a football coach under the lights. I thought the way he voted was against everything his presence stands for. Flat Out.

Dave Jennings asked you think it was appropriate, for everyone to see.

Ryan M said yes, not the Little League website, the rant about Frank Columbo that could have been handled better. I do not guarantee anything except death and taxes.

Until we now talked a little bit, a communication error, I felt you were targeting the Little League on this Columbo issue.

Bill Wicks said that Phil is right next to you to attest I have been more than willing to do anything down there. I helped with the drainage problems, I know exactly what it is. Someone filled swale by the cross pipe. We have tried to help we are not targeting with every opportunity to help. Because we disagree with you for one issue.

Ryan M That's not it. You went back and forth with the dust issue said you did the calcium before I was board, what about the speeding issue on Ackerly Rd, why isn't there a police report on that. I have read the minutes. Too much noise in April. And garbage into the yards. There is a complaint every other week.

Bill Wicks asked did you ever ask anyone.

Ryan said we spent \$50,000.00 for the paving because of the dust.

Malcolm M - Ryan your killing yourself, two steps forward and three steps back.

No one is perfect and to berate people who over many years to support the little league with Bob Horvack.

Ryan says he is more involved than Bob ever was.

Malcolm told him you are not more involved.

Bill Wicks told him that Bob Horvack would call them.

Ryan than brings up the the day he gets a call from contractor saying they had a stop work order for the scoreboards from Bernadette. (I never called him)

Bernadette - The workers were sent up with permission from Tom Wicks to stop until he pulls a permit. Called BIU and Arron came up the next day and the work was continued.

Malcolm asked Ryan about it and Ryan complained about being shut down for the afternoon.

Ryan filed the permit after he paid the contractors. That they had a budget.

Malcolm said for the scoreboard that you did not want to pull a permit for.

He said that they put one up without a permit and no one complained before about it.

You have been waived of fees, and he is more than happy to hit the reset button,

But I get a letter from Mike Savitsky about the music being too loud. The dump with the little league and the dump, with Precision and there dump

The whole thing with Kevin Quinn about the inspection for Precision on the wells.

Frank told him, to go ahead and let them in.

When you read things in the minutes that Bill Wicks said that it was being offered,

Bill told him you can always call me.

Malcolm said this is a project to work for everyone. # 1 do not say "on the record" at a public meeting. This is a home run for a lot of people. We have done enough of this stuff,

Bill wicks said there are matched to grants.

Malcolm told him that Steve Armaly is a great guy and works with him on a lot of projects.

What Bill has done at Hillside Park is incredible, millions of dollars on the work there.

Ryan said he spoke to them about is combining with us so the children's will be under the one umbrella.

They would reach the next grant level. And they would buy the land (AAJRB). That is the only discussion he ever had with them.

Malcolm told him we were the 1<sup>st</sup> ones to give money to the AAJRB.

Mr. Schwartz asked if new or old business, DEP would give a final look though in October.

Malcolm – he has not heard back and he will call in the morning.

Mr. Schwartz said that two or three weeks ago Mrs. Syal worker went to cut the grass by the retention pond and his next door neighbor had to stop them and the guy wanted to go all the way up to cut the grass.

She was going to cut all around.

Tom Wicks said the wet lands need to be left alone.

Malcolm asked Mr. Schwartz if he was part of the group that met with Mrs. Syal.

Mr. Schwartz said the next day she changed her mind.

Mrs. Syal and she is upping her price. Mr. Schwartz said they are trying to get ahold of her attorney.

Barbara Monick of Waverly Road

She would like an update of the LiVecchi property.

Malcolm – Located the bank – delay of sale. Came out and did a little bit of cleanup.

Tom Wicks – came back to cut some grass.

Malcolm -Sale was a foreclosure & bank owns it. Berkshire Hathaway. Not on the market yet.

There is a roof leak and the house was broken into. It needs to be cleaned up.

Any activity there please call the township.

Barbara Monick said THANK YOU.

Ken Jenkins

Old State Road – commended the road crew for their work on Kittle Lane.

**Announcements:** Santa Train at Steamtown Nov 24, 25 and 25, 2017 look up on Steamtown website

### **Public Input:**

Dr. Samuelson- Waverly Road - Update on the Columbo property.

Malcolm – Gary Wilding / hired by Mr. Columbo to do the MPDS.

He mailed Malcom and will have their package of materials to DEP end of this week.

They stopped him from undertaking the activity he took.

Dr. Samuelson said he spoke to DEP and that he cannot do anything.

The planning process, he cannot dig out any more of the stumps. And must have a plan to Glenburn.

Carl DeLuca spoke to Malcom and this is the 1<sup>st</sup> step. Stop erosion – grading.

Lynn Stansky spoke to Jerry Stiles.

Dr. Samuelsson said he need 6 copies / plans distributed.

Malcolm said he is not there yet. Needs to come to planning commission.

Dr. Samuelson – the corner of his property could kill his tress.

Just because it could have an effect on his property.

He does what he wants. He will sell his home and move.

Malcolm – everything he has done is not good for him either.

Mrs. Samuelson – In terms of what he wants.

Malcolm- he will call Carl DeLuca & convey his concerns over their property.

Lynn Stansky- asked about what he was doing over by the sewer treatment plant.

Bernadette told them that DEP was called and Mr. Columbo spoken too.

Tom Wicks said he is wanting to put up solar panels.

Ryan asked if it is a M1- public utility

Tom Wicks said an n R1

Tom Wicks – DEP approved sewer plane

Dr. Samuelson said he can do whatever he wants to do.

Bill Wicks said he can do what he wants does not make it legal. There are consequences.

Malcolm – approved by engineers to Dr. Samuelson

Dave Jennings asked Malcolm if he can find out the legality of the earth movement to the effect of the trees.

Malcolm was going to find out the status of the permit and & if granted and the scope of what can be done about the adverse effect of the residents property.

Dave Jennings asked is there anything else?

No one had anything else.

**Supervisor Jennings motioned to adjourn at 9:45 pm and Supervisor Wicks2<sup>nd</sup>. All in Favor.**

Respectfully Submitted,  
Bernadette Menendez  
Secretary/Treasurer