

White Haven Borough
Council Meeting Minutes
May 19, 2025

White Haven Borough Council meeting was called to order at 7:00 PM. Roll call was taken, and the following were present: Charlie Best, Bob Lamson, Zane Writer, and John Zugarek. Absent: Julie Fallon, John Klem, and Harvey Morrison. * Julie Fallon joined via zoom at 7:20 pm. Also in attendance: Borough Manager Linda Szoke, Street Commissioner Sean Reynolds, Police Chief Rich Mocofan, Attorney Favreau, and Mayor Tim Janosco.

Minutes – The minutes from the April 28th meeting were presented. A motion was made by Zugarek and seconded by Lamson to approve the minutes. All in favor, the motion carried.

Public comment on agenda items –

Engineer Report – on file

- Borough Manager Szoke stated she spoke with the engineer today about the community block grant money because we were planning to use that to pave Chemung St. The engineer told her they still have not announced the money, it probably will be another couple of weeks, and he is keeping an eye on it.

Attorney's Report –

- Attorney Favreau stated a counter offer had been made by AT&T in reference to the proposed cell tower renewal. He reviewed the offer. The first counter was that AT&T added five, ten year renewals, putting the lease expiration at March 3, 2077. They have increased the offer for payment of rent to \$1,400 a month and a change of 3% per year. They have also added in 25% revenue share to match another cell phone tower. They countered our demand for a \$50,000 sign on bonus with a \$25,000 sign on bonus. Attorney Favreau stated that he and Attorney Karpowich discussed and believe this is the best offer AT&T is willing to make. Councilman Lamson asked how much the revenue share is. Attorney Favreau stated it depends on how many people occupy that same tower, but did not have a figure. A motion was made by Lamson and seconded by Zugarek to accept the cell tower lease. All in favor, the motion carried.
- Attorney Karpowich's office drafted a proposed amendment to the zoning ordinance. To summarize, we are looking to regulate several uses that have come up in recent discussions. The ordinance is scheduled to be advertised prior to the public meeting which will be held at the July 28th council meeting.

Manager's Report –

- Borough Manager Szoke spoke about a grant called People, Parks, & Community foundation that will help pay for planning to do a mini plan of Linesville Park. It is part of the Blueprint goals to develop this open space for more ability for people to use it. A motion was made by Writer and seconded by Zugarek to adopt Resolution 6 of 2025 to apply for the People, Parks, & Community grant. All in favor, the motion passed.
- Borough Manager Szoke stated she had something brought to her by a realtor. There is a property on Susquehanna St. that is selling and there is a small square of land that is under the water authority's name. The realtor is asking what we are doing with the property. Councilman Zugarek asked if that would be the borough's or aqua's. Szoke stated that all the White Haven Water Authority land got transferred to the borough and there is no infrastructure there anymore. She had been told a pump use to sit there when there was a reservoir at Pine St Park. A motion was made by Lamson and seconded by Zugarek to ask the attorney to prepare a quick claim deed for that parcel and process at the June meeting. All in favor, the motion carried.

Tax Collector –

Property taxes collected for April - \$258,796.55

Local Realty Transfer Tax for April - no transactions

Delinquent taxes for April - have not been received

Building, zoning, Code enforcement – Report on file

Fire Department – report on file

Ambulance – report on file

- Councilman Lamson spoke up and said he would like to take a minute to talk about the ambulance. He has seen himself and had to discuss with residents having to wait for Valley Regional to come instead of the White Haven Ambulance. He mentioned seeing in the agenda that the ambulance study is on hold waiting on documents from Butler and Valley Regional for the process to start. Lamson stated it is not getting any better for our small town. He said that he spends an inordinate amount of time explaining to residents why our ambulance is not responding to White Haven and why our police officers are not immediately available because they may be on the far end of Foster Township. Lamson stated he usually does not get any questions on the fire department and Borough Manager Szoke stated that they do not have as large a coverage area. Lamson said this is not acceptable and it is not a borough problem, it is a state and county wide problem. He stated there are not enough volunteers and too many regulations on those volunteers. It was also brought up that the driver for White Haven has recently left to take a job with income and benefits.

Mayor / Police Chief / Police Committee Report – report on file

- Chief Mocofan stated the police department has purchased some use Axon X2 taser. He said we got a good price on them and would like to thank Wright Township for them. All

of the officers have been certified to use them. Chief Mocofan has a quote regarding purchasing 7 of the recommended batteries and 14 taser cartridges.

- The department has participated in two of the National Highway Training and Safety Administration DUI Roving Patrols on April 20th and May 5th
- Chief Mocofan stated the department had some community policing events. Mocofan said we attended MMI's middle school award ceremony.
- Chief Mocofan stated that one of our officers went full time with East Stroudsburg University but will be available on weekends with limited availability. Chief Mocofan said we still may need one part- time officer.

Public Works / Public Works Committee –

- Mileage – F550 32,054 Pick-up truck 53,491
- Street Commissioner Reynolds said they are working to get all the Hometown Hero flags up before Memorial Day.
- Reynolds stated pot hole patching is on the to do list.

Committee Reports –

- **Building and Grounds –**
- **Blueprint planning group –**
- **Finance –** Councilman Best stated we got the tax money and are in good shape right now. He said Borough Manager Szoke would be putting the \$30,000 back that we borrowed from the investment account.
- **Planning –**
- **Water –** report on file

Correspondence / Unfinished Business –

- We received a letter of thank you from the Runegades and a donation from them to the library and police department.

Seminars & Workshops – none

Payment of bills –

A motion was made by Best and seconded by Lamson to pay the bills. All in favor, the motion carried.

Public Comment on non-agenda items –

- Shelia Weaver spoke regarding last month's meeting. She said at that meeting the borough engineer indicated that she had to pave in Woodhaven before anyone could get a zoning permit. Weaver indicated she had looked over the sub division ordinance and it says in Chapter 26, section 104 that this applies to proposed sub divisions. Weaver stated that Woodhaven got final approval in 1975 and its all recorded in the courthouse. Weaver said she is not sure the ordinance can apply to the lots on North Woodhaven Dr as it is not a proposed sub division. Councilman Best referred to Attorney Favreau. Councilman Lamson asked Weaver if this doesn't fit the same bill as Crouse Mill Court. Lamson stated that she was required to pave that. Weaver stated that she was not told she had to but did pave in that instance. Lamson said she could do the same here but she answered

that she was not planning on paving. Weaver said a lot got sold right in the middle and there is no power there. She said that there were then others interested in buying at the west corner. Weaver told them if they got building permits she would arrange to have the power put in. Weaver stated that about a year ago, they were told they could get building permits so she began making the arrangements for power. Weaver had PPL draw up the plan and tell her what she had to do. She then hired an engineer and got a storm water permit. Attorney Favreau asked Weaver if the land development plan that was part of the original approval she is speaking about required or stated that the road was going to be paved. Weaver said there is a cross section on the plan that shows it but it got approved without being finished. Attorney Favreau referred to section 104b-3, all required improvements as set forth in the grant of approval have been constructed or until the applicant posts a form of financial security, acceptable to the governing body, which guarantees that all required improvements shall be subsequently constructed within a defined period of time. Weaver questioned again that this is for a proposed sub division. Attorney Favreau stated this covers proposed sub division and land development and this is a land development. Councilwoman Fallon stated it is a sub division plan. Fallon followed by saying to make any changes Weaver has to go through the process because these plans are so old and have not been acted upon, we are well past the five year term. Fallon stated everything has to go through as a plan as a whole not as here is electrical and then here is this. Fallon said she has had direct communication with Heather and that Heather has stated the same thing, it has to go through as an entire plan so all elements are looked at in regards to the development of this section of Woodhaven. Fallon stated if there are any changes to the plan, Weaver has to go through that process. Attorney Favreau said that he feels if Weaver has a different opinion on this, she can file an application for a building or zoning permit and when that gets denied, Weaver then has the ability to file an appeal to continue with the legal process. Weaver stated she was just doing this on behalf of the people that had been asking her. Weaver mentions again that to her this is not a proposed sub division and that the sub division and land development ordinance is all to approve or disapprove sub divisions or land developments. Weaver said her situation is not subject to approval or disapproval because it already has final approval. Councilman Zugarek asked Weaver if the final approval includes paved roads. Weaver answered that it was already approved without that. Councilman Lamson stated that we have to remember we are going back to a time when plans were very simple. Lamson stated that today, if Weaver ran this sub division through, it would be design plans and construction plans included in the preliminary approval process. Lamson continued, that this is going back into the 1960's so they had said here is the proposed layout of the roads, here is the cross section, here is what is going to be built and that is what has to be built. Lamson told Weaver she is right, it says proposed, and until that part of that development is improved, it is proposed. Weaver asked what takes it from proposed status to approved. Lamson stated it is approved when the infrastructure is complete. Weaver said once its complete it gets recorded at the courthouse, you can not do that until it is complete. Lamson said it gets recorded at the courthouse as final approval today, after the infrastructure has been constructed and approved by the municipal engineer or whoever is doing the review. Lamson stated that in this case, it is such an old development that we are relying on only that one piece of paper that is there, and that one piece of paper indicates that those roads are going to be constructed

according to that cross section on that plan. Lamson stated the way he sees it from many years of looking at plans, until those improvements are made, that portion of the development is proposed. Lamson stated when the improvements are done, it is not proposed anymore. Lamson told Weaver when it was given final approval, none of that was there. Lamson said it was given final approval and recorded, then Weaver's father and his partners started building roads, advanced the roads as they needed, and then it stalled. Lamson also stated that none of the roads in that development probably meet the standard of that cross section. Lamson said now Weaver is trying to resurrect this, which is great, but we still have to have streets. Lamson said we have to have streets to the homes and that is part of the sub division process. Lamson stated that we could debate this until the cows come home and everyone will still have a different view. Fallon stated the interpretation does not even matter until the exact plans Weaver is speaking of are resubmitted to all aspects of the planning process. Fallon said the plans have to go through everything from the county, though environmental, DEP, and be re-approved then represented to borough council so that everything is up to codes and standards. Weaver states that in section 106, it says that if final approval is preceded by preliminary approval, the terms shall be construed in the light of provisions of the governing body ordinance or plans as they stood at the time when the application for such approval was duly filled. Weaver stated that to her, that means she already has final approval. Lamson stated he is willing to bet that the ordinance from 1975 says that the infrastructure has to be completed before lots can be sold. Fallon stated that the road has to be paved before anything can be built. Weaver said she is not certain her interpretation is wrong. Attorney Favreau stated again that the landowner can apply for the permit they want and the borough will officially approve or deny that application, then a legal recourse can be filed if the landowner does not agree with that response. Weaver said she believes a permit was already rescinded. Borough Manager Szoke clarified for the attorney that it was everything, zoning permit, building permit, construction, had all been rescinded. Attorney Favreau told Weaver the rescinding was an official act by the zoning official, an appeal can be filed. Attorney Favreau said if that does not work then the next step is to go to the court of common pleas. Weaver said thank you.

Adjournment - A motion was made to adjourn at 7:36 pm by Zugarek and seconded by Lamson . All in favor, the motion carried.

Respectfully submitted,

Holly Potance

Holly Potance
Assistant Borough Secretary