

UNOFFICIAL UNTIL FEBRUARY 11,2016

Jermyn Borough Council met on Thursday, January 14, 2016. On roll call the following members were present: K.Napoli, D.Markey, J.Wilson, J.Smith, J.Wilson and F.Kulick. B.Parks was absent. Attorney Nichols and Mayor Smallacombe were in attendance.

CHIEF ARTHUR PRESENTATION – At this time Chief Arthur presented Walter Estile with a plaque for Outstanding Service Award. Chief Arthur said that Mr. Estile, former councilman and fire police captain, was his right hand man. Putting in 9 to 10 hours accompanying him to obtain surplus items and always responding to his requests in five or ten minutes. He is also the only civilian trained on the Hum-Vee.

MINUTES – A motion was made by J.Smith to accept the minutes of December 10 and January 4, with corrections, seconded by K.Napoli. All members were in favor.

COUNCIL INTERVIEWS -President Kulick said we have four applicants two are present, two are not. The applicants being: Paul Eastlake, John Mark, Katie Hosie and Cindy Stephens.

INTERVIEWS:

K.Hosie- Mrs. Theresa Estile asked Mrs. Hosie why she feels she should be appointed because she was on the ballot? Because when Mrs. Estile was on the ballot she was passed over and J.Allan was appointed? Mrs. Hosie said, that letters were asked for and Mrs. Estile did not put one in. Mrs. Estile said that incident was two years later. Mrs. Estile said she heard because her husband was also running and council did not want a husband and wife on council. Mrs. Hosie said she never heard that. Mrs. Estile said in her opinion if you are the last one, you are only considered, depending on who you are.

Mr. Markey said that the residents selected two write ins over the incumbent and we need to re gain the public trust. Mrs. Hosie said she never did anything wrong.

PAUL EASTLAKE – Mr. Kulick asked Mr. Eastlake what strengths he can bring to council. Mr. Eastlake said he has a varied background and has traveled the world with his job and has interacted with all these people. Mr. Kulick asked if he would have any problems attending meetings? He said he can make meetings, there are others with the Boy Scouts who can take over.

Mr. Lou DeMarco said that Jermyn has limited avenues for raising revenues, no room for expansion. Taxes were raised 5 mils this year, will taxes be raised every year? How will you generate revenues? Mr. Kulick said you are going to scare Mr. Eastlake away and said it was an unfair question. Mr. Kulick said we plan on having a budget review and try to come up with ideas to creatively raise money. Mr. Eastlake said with an engineering education you are taught how to approach a problem, analyze the problem and make a logical decision.

John Mark – Mr. Mark said he was a councilman for three terms, took the civil service test ,had to comply with the Hatch Act and had to resign, as of December 2 his ties with the state were over. He said he accomplished a lot while on council, got funding for furnace in the garage, Katie and himself built this room ourselves. Mr. Wilson said that himself and his wife asked him to run in the past and he would not. Mr. Mark said the Hatch Act just expired on December 2. He said he hopes to bring back the community spirit in Jermyn. Mr. Kulick asked if he is working now, Mr. Mark said no. Mr. Smith asked if Mr. Mark will be able to attend meetings? Mr. Mark said yes.

NOMINATIONS:

Mr. Kulick asked for nominations, D.Markey nominated John Mark, J.Wilson nominated K.Hosie. A roll call was done to appoint J.Mark to council , Mr. Mark was appointed three to two, with J.Smith and J.Wilson voting no. Mr. Kulick thanked all applicants. Mr. Mark was sworn in by Mayor Smallacombe.

INTERVIEWS SOLICITOR:

Mr.Kulick said we received two applications for Borough Solicitor, Mr. Nepa and Mr. Nichols;

Mr. Nepa said he has been a lawyer since 1994, has resided in Jermyn since 2001, is active in Jermyn sports with his children. He has been the zoning attorney for Carbondale, presently he is the attorney for Clifford. Mr. Wilson asked who he practiced with? Mr. Nepa said it is himself and Attorney McGraw.

Mr. Nichols said he is with the law firm of Hughes, Nichols and Boyd, he has been an attorney since 1973. He has been an attorney for many zoning boards, councils and planning commissions. He felt with several issues pending in the borough, the creek and litigation, he feels there is a need for continuity. Mr. DeMarco said five years later he is still waiting for an answer concerning a survey, he said things drag on. Mr. Nichols said land issues usually end up with a lawsuit between parties. Mr. Wilson said Mr. Nichols has done a lot of work on the creek issue and he appreciates his work.

Mr. Markey said he has observed that issues brought up at meetings disappear the next month, he said residents get disheartened and stop showing up, he would like to see items taken care of in a timely fashion. Mr. Nichols said he believes he has some residents do not like the answers he gives, and once they threaten ligation the situation changes. Mr. Markey asked about an ordinance concerning fire companies charging and still have not seen anything. Mr. Nichols said he drafted that. Mr. Smith said Mr. Nichols represents the borough professionally and has the borough's best interest.

APPOINT OF BOROUGH SOLICITOR:

J.Smith nominated Attorney Al Nichols, D.Markey nominated Attorney Nepa. A roll call was done to nominate Attorney Nichols as Borough Solicitor, motion passed five to one, with D.Markey voting no.

FINANCIAL REPORT – Mr. Kulick gave the financial report:

Beginning Balance	– \$62,321.21
Deposits	– \$44,082.88
Expenses-	\$51,119.15
Ending Balance	\$ 55,284.94

INVOICES – A motion was made by J.Smith, seconded by D.Markey o pay invoices in the amount of \$ 2,238.23. All members were in favor.

MAYOR– The Mayor said there has been a lapse in the Crime Watch and would like to see it re started. The police are doing an excellent job. The Events dinner is Feburary 20 and he would love to see all of council there and all the organizations. He said the 150th Anniversary is less than four years away, if anyone is interested in helping to contact him. Mrs. Wilson said on February 7th there will be a slide show of the 1970 Centennial, at the borough building, sponsored by the Historical Society. It was stated that the day of the super bowl, Mrs. Wilson said they will change it.

At this time Mayor Smallacombe recognized Shawn Pittiack and Brian Swatt, as Boy Scout Eagles, there will be a presentation at the dinner at St.Michaels.

SOLICITOR – Attorney Nichols said that he has been speaking to Harrisburg concerning the creek project ,it is the final stages but the Borough cannot get easements until the new drawings are done. Concerning the property on Riverview lane the closing will be on Monday.

FIRE CHIEF – Chief Rood said the siren at the old garage is working good and himself and Bob Chase fixed the one at the Artisan, not sure how long it will work. He congratulated Mark Striefsky and Michael Ball on completing a firefighters course.

ZONING OFFICER – Mr. Chase reported that he has been in contact with rapid pallet concerning a permit and an issue with an egress, it is in NEIC's hands.

PUBLIC INPUT – A.Whitiak ,512 Garfield congratulated everyone on the vote and Al has the experience. Mr. Whiitak asked about the five minute rule for public input? Mr. Kulick said he left it off, unless someone is long winded or doesn't make any sense, the public has a right to speak. Mr. Whitiak said there are a lot of drugs in Jermyn and our children need to be protected. He said he heard about the tragedy at the field and heard two people came to the rescue, great job. Mr.Napoli said he would like to see signs at both sides of the field with a suicide hotline.

Chief Arthur said he would like to see Mr. Napoli nominated for a Life Saving Award, he was at the scene before the police and would like to see him recognized.

Mr. DeMarco said back to taxes, how can we raise money to avoid raising taxes in the future? Mr. Markey said this is their first meeting together, we want to work together and find creative ways to raise money, we cannot keep raising taxes. Mr. Markey said we need checks and balances, we work for the public and have to spend money wisely, give us some time.

Mr. Kulick said he is committed to change, he said he has read the minutes for the last four or five years, he has a list of things he needs answers to and is going to hold the people on committees accountable. He said if Mr. DeMarco doesn't see changes in a year he will resign. J. Smith said Mr. DeMarco had good ideas, reaching out to people to make better decisions, Lou worked with the water company and we might be able to get things cheaper. He said he is looking forward to working with new councilmen, and hoping we do not have to take out a tax anticipation loan.

James Allan on behalf of the Crystal Fire Company asked permission to host the 114th Annual Six County Firemens Convention in Jermyn on June 23 and 24,2017?

Mr. Kulick asked if the event will be on fire company grounds? Mr. Allan said yes. Mr. Allan said on Friday awards will be given and on Saturday the parade.

APPOINTMENTS:

President Kulick made committee appointments and invited residents to join also.

FINANCE : Joe Smith, Dan Markey, Bob Parks

PUBLIC SAFETY : Joann Wilson, Joe Smith, John Mark

DPW : Dan Markey, Kevin Napoli, John Mark

Recreation : Kevin Napoli, Bob Parks and Joann Wilson

Employee Liaison – Joe Smith

F.Kulick asked for a Bridges and Creek Committee. Mr. Mark said the creek project has been going on for twelve years and we still don't have a signed permit from the Army Corp of engineers, we need people.

Mr. DeMarco said there was a meeting but there was a scheduling conflict? Attorney Nichols said the meeting was scheduled for a month, the news said it was 7:00 at night, he does not know where they got that time. The borough secretary gave the television news an actual copy of the letter, stating the time. Mrs. Wilson said the council was invited, council did not call it. Mr. Mark said pressure needs to be put on by the residents.

BUDGET REVIEW – Mr. Kulick asked for a meeting next week to open the budget, we have until February 15th. Mr. Smith said it is a great idea to look at the revenues, have a line item for each department, thus having knowledge of what we have. Mr. Markey asked can we go ahead with the loan while we re-open the budget? Attorney Nichols said yes as long as we don't change the millage.

2016 BUDGET – A motion was made by D.Markey seconded by J.Smith to re-open the 2016 budget for review. All members were in favor.

RESOLUTION FOR TAX ANTICIPATION LOAN – A motion was made by J.Wilson, seconded by D.Markey to apply for a Tax anticipation loan in the amount of \$100,000.00. All members were in favor.

VEHICLE TOWING – Mr. Markey said the accident victims has the choice of who tows. Mr. Kulick said if they don't have AAA, give them the three companies, the people decide. Chief Arthur said Rock Bottom gets all abandoned vehicles, Zielinski doesn't want it.

Attorney Nichols said there could be a threat of possible litigation concerning Chief Zellers, when a petition is filed to take him off heart and lung. We received a letter saying he is able to come back to work but he does not have certifications. Attorney Nichols said he received a letter with veiled threats concerning the American Disability Act, he will have to research it. He explained we do not have a sit down police job. Attorney Nichols said under the code Chief Zellers has to have hearings, come off of heart and lung, off workman's compensation, than we can terminate.

RE-APPOINT WILLIAM ARTHUR – A motion was made by D.Markey ,seconded by K.Napoli to re-appoint William Arthur as Acting Chief until Chief Zellers comes back. All members were in favor.

RECREATION STORAGE ROOM – Mr. Matt Parry asked if he can use a room for the storage of vending machine items and other valuable things locked away. He said Lakeland football has a room upstairs and it is not a borough entity, they do not have a game or a meeting in Jermyn. Mr. Smith suggested the room where the recycling containers are. Mr. Markey said there have been several incidents where someone broke into the gym. Kyra is contacting someone about purchasing security cameras for \$50.00 apiece, would like two or three cameras for the gym and on exterior doors. He also said the exterior doors of the building are locked and the coaches cannot get in if Dan is out of town and the police have to be called. The Mayor had concerns about the historical case in the hall, cannot be replaced. Mr. Napoli asked if the building can stay open until eight o'clock at night. The Mayor said he does not have a problem as long as someone is in the building.

VACANCY BOARD – Kevin Napoli nominated John Frankosky to be the member for the vacancy board. All members where in favor.

Mr. Kulick addressed the issue that B.Parks has attended only five meetings in two years? It is not fair to council or residents. It was recommended by J.Smith to have President Kulick phone Mr. Parks.

A motion was made to adjourn by D.Markey, seconded by J.Wilson. All members were in favor.