

Jermyn Borough
Council Minutes
July 28th, 2016

The Jermyn Borough Council held a council meeting on, July 28, 2016 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn PA in the Council Chambers. President Kulick called the meeting to order and lead the Pledge of Allegiance. President Kulick at this time pointed out the major items for discussion at this meeting; 1) safety, 2) liability, and 3) enforcement of the borough's ordinances.

On roll call present were: Messrs. Frank Kulick, Robert Parks, Dan Markey, Kevin Napoli, Joseph Smith, and Mrs. JoAnne Wilson. Absent were: John Mark and Dylan Reeves; Junior Councilman. Also present were Solicitor Al Nicholls, Mayor Bruce Smallacombe and Tony Grizzanti from KBA.

MINUTES:

A motion was made by Mr. Markey to accept the June 9th, 2016 minutes with the correction of a date change, seconded by Mr. Napoli; all in favor, motion carried. A motion was made by Mr. Markey and seconded by Mr. Smith to accept the June 29th, 2016 minutes; all in favor, motion carried. A motion was made by Mr. Smith and seconded by Mr. Markey to accept the July 7th, 2016 minutes; all in favor, motion carried.

TRASURER'S REPORT AND DISBURSEMENTS:

Balances are from ending June 30, 2016 bank statements and disbursements are from June 10, 2016 to June 28th, 2016. General Fund \$244,517.01, Crime Watch \$1,840.91, Dare Program \$28.10, Dept. of Hwy App Fund \$9,623.66, Fed Tax 7 SS \$2,062.68, Refuse \$144,851.71, Recycling \$13,754.61, Paving \$42,160.20, Shade Tree \$7,571.18, Holiday Light Fund \$1,333.85, Recreation \$7,073.73, DPW Capital Reserve \$1,505.01. Deposits, \$73,140.23 and Disbursements were \$55,617.51. Motion made by Mr. Markey and seconded by Mr. Napoli to accept the treasurer report and accept the disbursements; all in favor, motion carried.

POLICE UPDATE:

A hearing with Raymond Development will take place in August. There have been numerous calls about bears in town, one bear has three cubs, and Chief Arthur advises residents to not feed the bears. There are issues with residents feeding wild cats in town; a resident on Washington Ave has caught over 70 cats. Chief Arthur stated that Old Forge has an ordinance on feeding cats. The borough was set up for Rolling Thunder to pass by town and they changed the course without notifying anyone. There has been a decrease in vandalism and juveniles around late at night. The red house on Washington Ave grass has been cut and the vehicle has a temporary plate, they are waiting on the tow company.

MAYOR UPDATE:

There has been a problem with motorcycles on Shields Ct heading towards Mayfield. The Historical Society will be hosting a trip to Corning and Seneca Lake. The concert in the park had a good turnout considering the heat. Mayor stated he would like the borough to get started in Crime Watch again, if anyone is interested in helping or becoming a member contact Chief Arthur and the Mayor. Mayor stated we are a small town and have been very fortunate for a lot of years and to keep our policeman in our thoughts at all times.

JUNIOR COUNCILMAN:

Dylan Reeves was not present. Dylan left a message on his behalf that the Lakeland Student Council is looking for volunteer work in Jermyn. Mrs. Wilson suggested Jermyn Day needs a lot of volunteers and there is also clean up around town to be done. If anyone is to have any projects or suggestions for the Student Council please report to Dylan Reeves.

FIRE CHIEF REPORT:

Mr. Rood received a letter about the fire hydrant on Lincoln and Roosevelt; he believes that hydrant has been there for years. There are three papers that have to be signed to accept the hydrant. A resident from the borough stated the hydrant was gone for a while and they just put a new one in. Mr. Rood said that the hydrant was put there without permission, unless someone from the town requested it. Mr. Rood stated that hydrant on that corner is not necessary, he will check into this matter. The renewal for the FCC license was a lot lower than we were originally quoted

KBA:

Mr. Kutch met with Suey and he has permission to walk the stream and check for erosion. They will send pictures to DEP. The borough is allowed to go in and remove small trees and vegetation without a permit, as long as they do not go in with equipment. Mr. Markey said to be careful on who owns the trees and property along the creek. Mayor Smallacombe suggested KBA to go look at the trees by the Windsor.

The contract for the paving project is signed, the contract is sent to Wayco. When Wayco finishes their current project they will begin.

DPW:

The plow was put on auction with a winning bid of \$691. Mr. Markey suggested we can wait until winter for another bid or accept the bid now. Motion made by Mr. Markey and seconded by Mr. Smith to accept the bid of \$691 for the plow; all in favor, motion carried.

Mr. Markey recommends rehiring Mark Kilmer of 611 Jefferson Ave as a part time DPW employee. A motion was made by Mr. Markey to rehire Mark Kilmer as a part time DPW employee at \$10/hr. on as needed basis, seconded by Mr. Napoli; all in favor, motion carried.

Mr. Markey stated we have two lawn mowers that are in very bad shape and break down on a weekly basis. He looked into two possible solutions, 1) purchase a 2016 John Deere tractor with 54 inch mower deck \$6,398.19. 2) Purchase a 2003 John Deere 54 inch mower deck with 313 hours, fully hydraulic with cab and plow for \$6,900 at Lindsey Equipment. Mr. Markey said when our lawn mowers break down there is time involved; our DPW could be out doing other jobs. He stated our mowers are being held together with zip ties. Mr. Kulick asked Mr. Markey if he has looked at his budget. Mr. Markey stated he does not have money in the budget for the new mowers but also doesn't have money in the budget to keep fixing old lawn mowers. Mr. Markey suggested going into the recycling budget. Mr. Smith does not suggest going into another budget and wait until 2017 budget. Mr. Markey said if we wait on this deal it will be gone. Mr. Markey stated that if we maintain our equipment it last 20-30 years. A motion was made by Mr. Markey and seconded by Mr. Napoli to purchase the 2003 tractor for \$6,900 with the money coming from the DPW reserve fund of \$1,500 and the remaining from recycling fund, 5 yes and 1 no; motion carried.

There was a MS4 inspection, Ms4 is the municipal separate storm sewer system. We are out of compliance in a lot of different areas. Mr. Markey suggested implementing a plan and to have the ordinance committee investigate to see if we currently have a storm water ordinance that meets the ms4 requirements. If we do not have one, we will have to implement one within 90 days of the report. Mr. Grizzanti from KBA said they changed their program and guidelines, he stated every borough and township is out of compliance. They want all of the piping and catch basins mapped out. Mr. Grizzanti stated later on they want the maps to be interactive and geographic.

New street signs are on hold due to budget constraints, they will be pushed to 2017. Mr. Markey stated we are working on replacing our snow emergency route signs and to reface stop signs around town.

HENRY DRIVE:

Mr. Markey stated there have been a lot of questions about Henry Drive. We have to enter into the agreement and sign the resolution. Lackawanna County Commission has to sign the contract as well. Best case scenario is mid to late August; worst case scenario is early to mid-September. Public Input from Henry Drive: "the road is so horrible the kids swim in the holes."

Chief Arthur states the abandoned vehicles cannot be towed because the county is responsible for the property. Chief Arthur will talk to the manager; Mayor Smallacombe suggested contacting the Sherriff Dept.

PUBLIC SAFETY:

Mr. Napoli asked for all to stand for a brief moment of silence for the loss of lifetime member of Artisan Fire Company, Gary Noldy and Richard Harrison lifetime member of the Crystal Fire Company.

Mr. Napoli brought up the subject of changing the 4 paid holidays for part time officers to 10 paid holidays; if they work the holiday. Mr. Napoli made a motion to make all the holidays the same for part time officers as the Chief currently as; only if they are working the holiday. The motion was seconded by Mr. Markey; all in favor, motion carried.

Mr. Napoli suggested getting an ordinance in line for feeding stray cats in town. Mr. Napoli, Chief Arthur and the entire Police Dept. would like to thank an anonymous donor for donating three Taser's with three cartridges for a total amount of \$3,770.00.

FINANCE COMMITTEE:

Mr. Smith stated they are currently working on a 2017 budget. Mr. Markey, Mrs. Wilson and Mr. Smith are working by departments. They are going to discuss a temporary budget to let everyone go through it. Mr. Smith said to make every budget work we need to be exact.

SHADE TREE AND RECREATION COMMITTEE:

The trees have been cut back; shrubbery in memorial garden will be cutback towards the end of summer. There were some overhanging bushes that were cutback. We will be looking at the trees going south from Washington to Bridge St. Trees on Washington coming out of Lackawanna and McKinley some of them need to be shaped up. Mr. Speicher will be weeding Rt107. Some trees in Jermyn have been hit by a bug, depending on our budget some will be replaced in the fall.

One police report was sent in for the doors in the gym, Mr. Chase was notified. We received a claim of \$2,385 on July 25th; bill we sent was 2,885; less \$500 deductible. Mrs. Wilson sent in a claim for the piano, which was damaged when the break ins occurred. We had paid for the damage before we knew the culprits damaged the piano so the claim was denied.

Mrs. Wilson would like to update the administrative handbook. There was a motion made by Mr. Napoli and seconded by Mr. Parks to allow Mrs. Wilson and Cara to update the administrative handbook.

The filing of office records are going well. Mrs. Wilson suggested we purchase some items to do housekeeping in the basement where the archives are stored. Mrs. Wilson checked into a postage machine and was informed the post office does not do that anymore. She stated we do not have a lot of bulk mail and we are currently satisfied with our postage now.

PUBLIC INPUT:

Sandra Suey at 643 Lincoln Ave. wants to know what happens after they take pictures of the creek. Mr. Grizzanti said KBA will send them down to DEP to see if we are eligible for a grant. Mr. Grizzanti stated it will probably not be this year. Mrs. Suey is worried about the creek rising if we have a lot of rain. Mrs. Suey asked if DPW can go in and cut the vegetation. Mr. Markey said they will have to go in and look at the size of

the trees. It was stated we do not need a permit to go in and cut down the vegetation as long as we are not using heavy equipment. Mr. Kulick stated there is not much of an update on the creek project; we are looking at a starting point of 2018. Mr. Kulick said any residents should talk to the county and state representatives.

Amy Rechak at 717 Washington Ave. is concerned about the property maintenance code. She stated her neighbor's property is falling apart and they have been feeding stray cats. Chief Arthur said KBA has been over to the building. Mrs. Rechak is worried about a fire and stated there are very few residents and families that have nice properties on Main Streets. Mr. Markey said if we pass the property maintenance ordinance we will have code officials. The code officials will be able to go out and inspect the building. Mr. Markey stated we are fighting for the residents.

CURFEW ORDINANCE:

Mr. Kulick stated the ordinance has been advertised. There is a list of violations and fines on the ordinance. Mr. Markey made a motion to accept the curfew ordinance for minors as advertised, seconded by Mr. Napoli; all in favor, motion carried. Mr. Markey said he is very happy to see this ordinance pass and does not think minors out past 11 o'clock are doing anything good.

INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE:

Mr. Kulick stated this ordinance has been advertised. There have been many discussions on this ordinance. Mr. Rood asked if this property maintenance code automatically update, Solicitor Nicholls said it will not automatically update. A motion made by Mr. Napoli to accept the International Property Maintenance Code Ordinance, seconded by Mr. Markey; all in favor, motion carried. Mr. Napoli stated he wants to appoint Mr. Rood as a code official because of his background as fire safety and construction. A motion was made by Mr. Napoli to appoint Mr. Rood as a code official for the International Property Maintenance Code, seconded by Mr. Markey; all in favor, motion carried.

INSURANCE:

Mr. Markey wants to put the insurance out to bid, he has reviewed the specification's with the Finance Committee. His recommendations are to reduce the amount for the building to 1.5million, increase all deductible to \$1,000, increase insurance for siren to \$20,000 and reduce borough garage to \$250,000 reduce amount of insurance for decorative lights to \$175,000, increase deductible for equipment breakdown to \$1,000. Remove plow from coverage and 2 snowplows we no longer own, remove all radios and pagers valued under \$1,000, raise deductible to \$1000 to \$1999 on items valued \$2000 or more, add radar trailer, asphalt hot trailer, vertical router, 2003 John Deere tractor. Our policy renews in November 2016. Mrs. Wilson suggested we should go out to bid in August. Solicitor Nicholls stated that we have to advertise this twice. A motion was made by Mr. Markey and seconded by Mr. Smith to put the insurance out to bid with changes included; all in favor, motion carried.

REFUSE:

The garbage collection is up in November 2016. Mr. Markey asked if we can ask for an alternate bid to include recycling. Mr. Markey said it is in our best interest to look into the recycling. A motion was made by Mrs. Wilson to have the refuse specifications advertised; including an alternate bid for recyclables and will be opened on the September 8th meeting, seconded by Mr. Markey; all in favor, motion carried.

SECURITY SYSTEM UPDATES:

Mr. Markey said we may budget the system for 2017.

GRANTS AND RESOLUTIONS:

The Monroe County grant needs to be revised for resolution. Mrs. Wilson stated we had to revise the narrative because we were only awarded the partial amount we originally applied for. We were awarded \$50,000. We have \$106,000 in the grant to cover the parking lot. Our total amount would be \$56,000. All in favor to pass the resolution on July 28th for submitting the revised application for the cost of paving the parking lot, resolution passed. All in favor to pass the resolution and cooperative agreement for the paving project on Henry Dr., resolution passed.

SOLICITOR APPLICANTS:

There were 6 applicants for the solicitor position. Larry Moran Jr, Jack Munley, Joseph Toczlewski, Law firm of McGraw & Nepa, Piazza and Wolfe. Mr. Kulick said some of the fees we cannot afford. Mr. Smith stated the finance committee has already narrowed down money budgeted for 2017. Mr. Kulick suggested we need someone with a reasonable retainer fee. Mr. Markey said he spoke to Attorney Moran and is willing to lower his fee schedule for the borough of Jermyn. Mr. Kulick suggests asking for a revised fee schedule from the attorneys for next week's meeting. Mr. Markey said we need a solicitor for the August meeting.

Resolution for Jermyn Borough to offer full support to District Attorney Scanlon on its initiative to fighting heroin and opioid abuse on this day July 28th, 2016, all in favor.

A motion made by Mr. Napoli and seconded by Mr. Markey to adjourn July 28th, 2016 meeting; all in favor.

Respectfully Submitted,
Cara Frankosky

Revised for September 8, 2016 meeting (upon approval)