

## Jermyn Borough

### Council Minutes

March 15, 2018

The Jermyn Borough Council held a council meeting on March 15, 2018 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn, PA in the Council Chambers.

On roll call present were: Kristen Dougherty, Frank Kulick, Dan Markey, Kevin Napoli, Joseph Smith and JoAnne Wilson. Also present were Mayor Fuga, William Aquilino, Ray Rood, Bob Chase and KBA. Absent were; Cynthia Stephens.

**MINUTES:**A motion was made by Mr. Napoli and seconded by Mr. Smith to accept the minutes of February 15, 2018. All in favor; motion carried.

**TREASURER'S REPORT:**General Fund \$122,835.48, Recycling \$5,705.73; Refuse \$41,927.74, Investment Liquid Fuels \$43,749.48, Liquid Fuels Checking \$80,490.04. Disbursements from February 16 to March 15 including 2 periods of payroll \$77,273.62. Deposits \$111,388.69.

A motion was made by Mrs. Dougherty and seconded by Mrs. Wilson to accept the treasurer's report and bills as presented, all in favor; motion carried.

**Public Comment:***Bruce Smallacombe 703 Rear Madison* – Mr. Smallacombe asked where the storage container that was on the stage went that belonged to the Events Committee and where the equipment that is in it being stored now. Mayor said the equipment is being stored in that room off the stage, it is locked. Mr. Smallacombe said so it can disappear every time we go look for it. Mayor said no it is locked up. Mr. Smallacombe said every time we had to call someone to find it and bring it back that's the reason we put it in the storage container, we asked recreation for it because they didn't want it and they gave it to the Events Committee. We kept that storage facility there so we can keep our own lock on it. Mayor said it was never locked up. Mr. Smallacombe said he was going to buy his own lock, somebody broke the lock when Recreation had it. We didn't lock it because the pa system wasn't in it. Now we can't get to it but everyone else can get to it. Mr. Markey said everything is in that storage. Mr. Smallacombe said it disappears all the time out of there every time we looked for it we had to call you to find out where its at, the last two times he went to set it up he couldn't find it. Wires were missing, speakers were missing, it shouldn't happen. The Events Committee bought that system for the shows, it doesn't belong to the Borough or Recreation. Recreation has their own and the Borough has their own. That Pa system belongs to the Events Committee. Mr. Smallacombe said he was wondering if we are going to look for it every time we need it or just take it out and put it someone's house. Mr. Markey said you may, you are free to. Mr. Smallacombe said the storage case was there for 30 years and it was used constantly, it was used by Recreation forever, they stored games in there.

When Recreation didn't have use for it they were going to throw it out, Jimmy Allan who was in charge of recreation said we don't want it you can have it and the Events Committee used it. They stored their books in there for the music and Christmas show. Now we do not have any storage facility of our own anymore, now we have to go search for it every time we need to find it. Mayor said why do you have to search for it, whose taking it. Mr. Smallacombe said he has to make a call to find out where its at and it comes from outside of the building, someone is borrowing it and not bringing it back. Mayor said that has nothing to do with the case. Mr. Smallacombe said if it was in the case they couldn't have borrowed it. Mr. Markey said how it didn't lock. Mayor said it didn't lock. Mr. Smallacombe said it will lock that's why we were going to put the lock on it because stuff was missing out of that storage unit. Every time you go to that storage unit something is missing, long before you guys were here. Mayor said now you have cameras to see who is going in and out. Mr. Smallacombe said the cameras won't bring it back. We had a 1936 original microphone, it was taken from that same storage unit years ago, taken out of that case. It disappeared. Mayor said we can change the lock. The Events and Recreation will have a key and that's it, its simple. Mr. Smallacombe said its simple as long as the people that have the key don't take the speakers. Mr. Smallacombe said he would like to see it rectified.

Mr. Markey said your system is back in the back corner, it will not be touched by Recreation.

Mr. Smallacombe said the glass case that was in the hallway, he understands you were going to get rid of it, he wonders what the safety issue was. What was the safety issue? Mr. Markey said there was a kid's head that went through the glass. Mr. Smallacombe said no it didn't it went through another glass case that was along side of that and that was taken out of here. That glass case has safety glass in it. Mayor said the safety glass wasn't safety glass because it busted when we were taking it out. Mr. Smallacombe said you might have busted it while taking it out. Mr. Markey said it wouldn't have shattered like it did. Mr. Smallacombe said it was built with safety glass. Mr. Markey said well it wasn't safety glass when they took it apart, maybe on the top but not on the sides and front. Mr. Smallacombe said it was built by the Borough for the memorabilia in the Borough and it was supposed to have been built with safety glass, he knows the top two pieces were safety glass. Mayor said everything that a kid can run into is not. Mr. Smallacombe said same thing with the snack machine a kid can run into that is that safety glass. Mayor said that is plastic. Mr. Smallacombe said same thing. Mr. Napoli asked how glass and plastic are the same thing. Mr. Smallacombe said a kid can go through it and get hurt. Mr. Smallacombe said where is all the stuff that is in it. Mayor said it all in the Borough office.

*Donna Stackel* said she is glad to see the handicapped parking in front of the Borough building has been taken care of, it is handicapped accessible for the people that have to go in there. She said she noticed there are two new runners and they are certainly a plus to the Borough building. Ms. Stackel asked about the heat in the all-purpose room, is that being taken care of. Mayor said it is fixed.

**Correspondence:** *Mr. Kulick said we have a letter from Jerry Crinella, whose president of the Jessup Borough Council, they are having a meeting on March 22, 2018 at 6:30 at*

the Jessup Borough Building. It is for everyone to introduce themselves and discuss what is going on throughout the towns.

*Letter from Senator Blake:* Thanking us for correspondence for the advocacy for the legislation to permit municipal police to use radar speed devises.

*Charles Beth:* Mr. Kulick said he was here previously with issues on his property, he had no problems since 2016 when the Borough plowed Shields Ct after a heavy snow. 530 Jefferson. Since then every time it rains his property is flooded, as much as 8-10 inches deep. On Oct 19, he spoke to council and the engineer came out and looked at the problem. It runs down the hill from Shields Ct. onto his property. It runs off from both direction, Bacon and Franklin. Are properties on both Madison Ave. and Jefferson being permitted to channel and even pipe their water problems directly to Shields Ct, thus to his yard. On January 23<sup>rd</sup>, the Borough engineer came out at that time his yard was flooded. He doesn't know what can be done about the excess water running down the hill but he does know something can be done to prevent those properties piping their run off water to Shields Ct. thus to his property. Solicitor said we can look into it and he wants to see what the Engineer says about the water, if people are inappropriately funneling water onto properties.

Mr. Kulick said we have a report from Mockenhaupt Pension.

**Mayor:** Mayor said the police will be hosting their annual Easter Egg hunt at 10am March 24<sup>th</sup> over at Callahan Park, it is conjunction with the Lions Club and the Knight of Columbus. It is nice to see all the groups working together to make it a bigger event, he is very happy to see that. Also, on the same day Jermyn Youth Sports will be hosting a breakfast with the Easter Bunny from 9am-11am at the Crystal Fire Co. Hopefully all the kids can attend and have a good time.

**Police:** Chief Arthur said we had 680 calls for this reporting period. Its great to work with other organizations in the Borough with the Easter Egg Hunt. Himself and the Mayor have been talking also about an event that involved hay for the children so that is going to be their special surprise for this Easter Egg Hunt.

Since he has taken over a couple years ago, himself and Mayfield continuously and randomly patrol Mayfield Elementary school. Chief Joe or him, come and go throughout the day, they check doors, they walk around with the principal, basically to show people they around there. Recently since the last school shooting you saw state police in the paper they are going around, we have been doing this for years now. We get a lot of compliments from the parents and teachers in the school that they see us rotate in and out and randomly check things and make sure the building is secure. Tomorrow there is an active shooter type drill and training at the school. They will be going over it with the teachers and administration, SWAT will be there and other police depts. We have done that previously at the high school and Mayfield Elementary. The school has key fobs now to get in so he did get one from the school district. Chief said he will be able to have access to that building in the event that Chief Joe is not available or something happens to him before he gets there, he will have access to get in.

**Fire Chief:**Mr. Rood said we have smoke detectors, there are people who wants 4 or 5, it will not happen. It's suggested one for each floor. For the elderly and people that can not afford it. Each fire company will have it, Channel 16 changed it this year they want to know where they are going, there will be a list on where they are going. Previous times when he has given them out to the fire companies, they went to different towns. These are for the people of Jermyn, he will get them to both fire companies with a sign-up sheet.

Mr. Kulick said he saw they are trying to sell one of the trucks. Mr. Rood said the Hahn 88' that we bought new, doesn't meet standards. They want to sell it and look at a replacement, they don't need a big big truck. Once they sell that and see where they are at. We tried to get a federal grant to get one like Meredith has. Lou Demarco asked how much something like that can bring in. Mr. Rood said we are hoping for \$15,000. Mr. Demarco said for a couple hundred-thousand-dollar investment? Mr. Rood said that was \$155,000-\$165,000. Mr. Demarco said it has no miles on it. Mr. Napoli said it can't go to another fire dept because its no longer within the specs because of the open cab, so it would go to a collector or personal, it can't go to another fire company. Mr. Rood said he was in contact with a collector from Hamburg and New Jersey; its all collectors.

**Code Enforcement/Solicitor:**Atty. said the Borough responded in regards to Chief Zellers pension. The Borough responded that Chief Zellers widow doesn't meet the requirements for any payout in the pension, he provided that with Atty. Powell and has not heard anything back yet.

The business permit ordinance and DPW tree cutting ordinance will be for next meeting.

The first round of rental property citations has gone out. Some people have paid and we received some of the cards back. The first Borough code enforcement citation went out for the one property that had a garbage only violation. That person has responded. For the code violators that have structural problems in addition to garbage problems they are required to be served by personal service, those letters have been provided and sent to kramer Detective agency, who is the lowest dollar amount for service. They have a certain time to respond and are invited to the April 19, 2018 meeting, according to the ordinance they are afforded the opportunity to come before Borough council and explain why their property is not in violation of the borough code.

Recycling Ordinance- in order to go out for a grant for a bigger leaf vacuum than we already have, we have a small one that will handle storm drains. Mr. Markey said our idea is to get a bigger one so we can handle leaves from residents as well so they can rake them into a pile and put them by the closest road and DPW can come by with the leaf vacuum and take them down to the recycling center. It keeps the leaves out of the landfill and helps the environment. In order to apply for the grant, we have to pass the ordinance. A motion was made by Mr. Markey and seconded by Mrs. Wilson to advertise the Recycling Ordinance #7-18. All in favor; motion carried.

**DPW:**Mr. Markey said the DPW full time and Part time employees met last week all with the exception of Bob Speicher. We reviewed the plowing procedures for in town and we

reviewed the new time clock procedures as well. The team is reporting that the on-call schedule is working well and looking forward to having a DPW team building day later in the Spring. What we want to do is get all the full time and part time DPW employees here at the building on a Saturday or Sunday in the Spring time and do a whole bunch of small projects to really try and spiff the place up a bit. Everybody was in favor for it. Plans for the new DPW garage are being drawn by KBA.

Our new chipper has been delivered, we are ready to sell the old one. Mr. Markey said he would like to propose to sell it for \$4,500 and vote to place it for sale on Municibid with the stipulation that council must vote to award the high bidder and that council reserves the right to reject any and all bids. Mr. Markey made a motion seconded by Mr. Napoli to advertise the old chipper in value of \$4,500 on municibid with a stipulation council must award to the highest bidder and council reserves the right to reject any and all bids. Atty. asked only municipality representatives will have the option to buy. Mr. Markey said no municibid is open to everyone. Atty. said if that's the case, wood chippers could cause an injury so if you end up with a private citizen we may have to talk about a waiver. Mr. Markey asked if that would be a day 2 item after its sold. Atty. said we want to know if your selling it to a 17-year-old. Its really due diligence on who the bidder is. Mr. Markey said we can wait until the auction is over. Atty. said when you say the highest responsible bidder, responsible is standard there. Mr. Markey said we are covered with the reserving the right to reject any and all bids.

Mr. Markey said we are working on getting new signs ordered for Callahan park to replace the signs that are outdated by the new ordinance. They will have the park rules. Park opens at dawn and closes at dusk, no smoking or tobacco of any kind including electronic cigarettes, no bikes, skateboards, scooters, Atvs, dirt bikes, graffiti, no pets on the ball field, fines up to \$750.

Our new backhoe and loader should be here within the next week or 2. We are trading the old one in, that was the deal that we made.

We are continuing to work on improving the Borough building and continuing small projects, we did a couple of things upstairs with putting some lights back in some rooms that didn't have lights for 30 or so years. We just got runners today for the Borough hallway, front door and side doors, in the event of a new gym floor it will be protected from water and snow and everything like that.

The 2012 truck, currently has a flatbed on the back, we are looking into the possibility of selling the flatbed and retrofitting the truck with an aluminum dump body, cost would be around \$7,500. We do anticipate recouping about half that cost if we did sell the flatbed and also if did retrofit it with a dump body that could be paid for 100% by liquid fuels money.

American Rooter will be ready to camera the sewer system within the next week or two, their camera broke and had to be repaired. Mike the owners gave his opinion regarding the Woodlands and kind of agreed with our assessment to camera the system, fix any areas that need repair and then possibly use the rest of the grant we received for paving.

Our 2008 plow truck is in good condition, it is now 11 model years old. We are keeping it in the forefront that it would possibly need to be replaced within the next couple of years. We don't want to get into a situation where we got into the 2002 truck. We have the 2018 being built and, on the way, and the 2002 within these last snow storms that we got within the past week or two, the right front axle broke on it. We had to take it up to Zielinski's and get it repaired. We are going to be looking at a repair bill there. Hopefully when we are ready to sell it, it will offset the cost a little bit.

Mrs. Wilson asked if this is the final proposal for the garage, the blue print? Mr. Markey said no, its not the final proposal. Mrs. Wilson said is it the final plan. Mr. Markey said no he just saw it 10 minutes ago. Mrs. Wilson asked if this is what we are going to be sending in for approval. Mr. Markey said he doesn't know yet he wants to meet with KBA and discuss everything before we go and vote on the final print. Mr. Markey said he doesn't think we need final plans when we are just filling out the initial application. Mr. Kutch said no. Mrs. Wilson said it would be nice if it was close. Mrs. Wilson said she has some questions on it, maybe we can reduce the cost. Mr. Markey asked what are your ideas on reducing the cost. Mrs. Wilson said get rid of the proposed office we have one here and toilet facilities, not needed. Mr. Markey said he doesn't think we need those either, we made that clear; we were already told by NEIC that it could be an annex building, we wouldn't need an office or restroom. However, if we had an office in there we would have to have a restroom. He could see maybe fitting it to plumb for a restroom if we ever decide to do that in the future. Mrs. Wilson said you would save money if you keep their office within this building and the bathrooms. Mayor said we want more room in the garage we don't really want an office in there. Mrs. Wilson said that will save money you wouldn't have to have plumbing. Mr. Markey said you would still need plumbing because we still need water access in there and the sewer for the drain but not quite as much. Mr. Kulick said it would be foolish not to make it plumbing ready. Mr. Napoli said we don't have to have the bathrooms ready to be used. Mrs. Wilson said right now we need a garage she knows it and she's not against it but she doesn't want a Taj Mahal. Mr. Markey said we don't want a Taj Mahal. Mrs. Wilson said as long as we are on the same wave length. Mr. Markey said we can't afford a Taj mahal. Mr. Smith said he would like to see the plans and the cost estimates. Mr. Markey said we are still working on the cost estimate. Lou Demarco asked what the proposed cost is. Mr. Napoli said they are still working on it. Mr. Markey said we had an initial estimate between \$155,000-160,000. That was our first idea that was putting radiant heat in the floor. Mayor said you always try to plan big and work your way backwards if you have too, we just want bare bones; easy to maintain, nothing fancy. It puts less of a burden on the Borough down the road too.

Mr. Kulick mentioned the revised estimate from KBA for the Woodlands. Mr. Kulick said he wants to know if its replacing some sewer and taking care of the paving in the area where we are replacing.

**Grants:** Mr. Kulick asked when we need to get the revised estimate. We are waiting to get an estimate on how much it would cost to camera the lines. Mayor said he was showing them where all the manholes were just to get an idea on what we are looking at and what part of the system to camera, this way he can estimate. Mrs. Dougherty said we aren't certain that it's 500 ft of sewer. Mayor said correct. We really don't know what is going on there until he can get there and look. Mrs. Dougherty asked if this is the

original estimate that was sent with the application? No, it is a revised estimate. Mrs. Dougherty said because it says phase 1. Mr. Markey said it is still phase 1, phase 2 might be paving or something like that need be. The first one we put in was just over \$256,000. We were awarded \$140,000 and then we had to revise to meet the \$140,000 now it looks like we have to rerevise and drop another \$8,000. Mr. Kutch said these are no design estimate until we go through everything and find out what is going on, these are simply estimates. Its in the ballpark. With sewers it should be pretty close because we have some pretty good numbers on that. It depends on your depth of the trench, we have no plans on them so we have to measure those manhole depths. Mr. Markey said if the sewer gets camera and we find out we only have to fix 100 ft. Mr. Kutch said that probably isn't going to happen. Mrs. Dougherty asked if mapping is part of this, whatever is done with this project will be mapped so we know what is going on in the future. Mr. Kutch said yes, under any grant program you have to have detailed plans that will be required by whoever the funding agency is. Mr. Napoli said what if we have this company come in and they say that they are going to charge us \$5,000 to do the cameraing and then we find out that the grant doesn't cover it. Mr. Markey said I think we wait for the cameraing until we find out if it is covered in the grant. Mr. Napoli said ok but what if its not covered in the grant, where do we go then. Mr. Kulick said we can't do it without cameraing it.

Mr. Smith said it was done a long time ago so we really don't know what is down there right now. Mr. Napoli said that is his point its necessary to go forward but at the same time we can't afford to do it and if its not covered by the grant. Mr. Smith said if we don't do the cameraing we are never going to know what we are facing. His opinion is that we have to do the cameraing to see what is going on down there and what our costs are going to be otherwise we are never going to know. As far as the old piping, he is under the impression that we are going to end up ripping up the whole thing under there. That place is a mess, the whole sewer system itself. The most logical thing to do is to camera it and see what we have and get KBA's interpretation. Mr. Kutch asked if video taping of the lines is an acceptable expense to your grant. We do not know yet. Mr. Kutch said you need to find that out. Mr. Markey said we are finding that out before we get it done. Mr. Kutch asked about the preparation of the plans is that covered. Engineering is 10%. Mr. Kutch said that is in the estimate. Mr. Kutch said the question for the funding agency is, if your grant is fixed you can always do a little bit less then you will know, take your best section at one end or the other, leave that other and then know one day down the road you will need to replace that too. Mr. Markey said that is why we want to camera it.

**Zoning:** Mr. Chase said of the 3 letters he had sent out, he had only one of the people contact him. With this weather there is nothing they are going to do anyway, in regards to the shed on Lincoln. He doesn't anticipate any problems. He received a permit for a house on Cemetery for some work being done down there. He denied another permit. He is working on a permit for the Windsor. He has to go through about 15 ordinances to make sure they fall into the guidelines, he doesn't see a problem he thinks everything is going to be fine but he needs the information put on the permit and has to make them aware of some things on there.

Lou Demarco said he applied for a garage permit and got denied because he doesn't meet the setbacks, his next step would be a variance, which there is a \$400 or 500 fee which covers the Borough's expenses for the variances. In the event if that is denied

and goes to county court, is he responsible to pay for the Borough's expenses and his legal expenses. What is the last step if County court was the next step. Atty. said you appeal the board's decision to the county court and he doesn't think there is a provision of payment of legal fees. The \$500 is for the cost of examination of property and engineering. Lou Demarco said he thought it was for costs and legal fees. Mr. Chase said it is for sonographer. Mr. Markey said we changed that because \$500 didn't cover it. It is \$500 plus fees. Mr. Chase said that is just for the zoning hearing. If it goes further is he required to pay the legal fees for the Borough. Atty. said he doesn't believe but he will look at the ordinance.

*Gym Floor:* Mrs. Dougherty said a question came up last night about KBA fees about our floor project, can you explain exactly what that entails. Mr. Kutch said he just found out about that yesterday, Randy stopped at the office and he told him he needs a set of plans because that is required for the grant. Mr. Kutch said you need some kind of a plan, I don't think you can just go and pick who you want, you have to go out to bid. If you go out to bid you have to put something in drawing. He doesn't know what is going on with the floor and the new floor. Is that going to impact any of the doorways? Mrs. Dougherty said no. Mr. Kutch said what are you doing where the thresholds are? Mr. Kutch said he needs to have some details before he can give you a number. This comes from Miller Flooring? Mrs. Dougherty said yes. Mr. Kutch said he would like to talk to him. Mr. Kulick said so everyone understands what is going on, Randy Parry spearheaded this project, he has a lifelong interest in the basketball program. He needs to be commended for that. He is generating private donations to cover the part of the grant where we would have to provide. God Bless him but he likes to go 100mph at 25mph zone. It's very difficult to make assumptions when you don't have all the information. It was clear to him when he was addressing him last night in emails that he was under the impression that Mr. Kutch told him it would cost \$5,000 KBA charges and he mentioned the handicapped access and he wanted to get some other engineer who wouldn't charge that much. Mr. Kutch said he didn't give him any number. Mr. Kulick said this is why we can not operate like that, he appreciates what he is doing and it is all well and good but until we have all the facts and we understand what we are doing, to apply for the grant in the proper way with all the T's cross and all the I's dotted and we make sure what we are talking about, we have to put it in a slower gear. We are going to wind up getting it tossed back to us and we are going to have issues. The stuff you are reading from Miller, Randy went out and solicited that information because he thinks that Miller is the premier installation company in the area, he may very well be right. He is basing that on information he has from other schools or whoever had it done and that is all well and good, he was a little upset that we just can't say Miller is going to do it. That is not the way it works. Randy wants very specific specifications. He has no problem basing the project on that, they know what they are doing and that is a legitimate spec. that is fine but we aren't just going to toss KBA to the wolves for someone that thinks they get someone to do it for nothing, we have rules to follow. We need to understand before we apply for the grant, Randy solicited \$8,000 and that is wonderful, he can't thank him enough for that, he applauds his efforts. We aren't going to do anything until we understand what we are doing. That means we have to slow down a bit and get Dennis the right information so he can get us the right information and we can apply for the grant in a proper way.



Mr. Kutch said he did mention he got \$8,000 in grants and he gave him no number, he told him he needs to look at what you are doing and said as far as donations, KBA will make a donation to it too. That will be his time. Mr. Kulick said that was not relayed to him. Mr. Kutch said if he can get someone to do this for free that is ok, but he will not put his seal on it until he sees that it is right. Just because Miller Flooring puts it in a paragraph and a half here, he is not going to say that is the right thing to do. He is reading in here that they are adjusting the height of the baskets, is that because they are wrong now or because the floor height is going to change. He is not going to put his seal on what Miller says here unless he talks to them and get it ironed out, he doesn't want you guys coming back to him a year after and we have a nightmare here. The grant deadline is May 31. Mrs. Dougherty said she wants to know what you need from her to do what we need to do. Mr. Kutch said he has a layout of that gym somewhere in his files. He doesn't know what the construction is but maybe he has that somewhere in his file. He doesn't know what this 1-1/2 inch around the perimeter is. He has to talk to Miller flooring. He doesn't know what the condition of the subfloor is. Are we going to spend \$50,000 and there's a problem with the sub straight, has not going to put a stamp on that. Somebody has to look into that. They will be glad to do it and he can do a lot of it on his own. He can contribute to this \$8,000, on his time but he can't do that with the guys he is paying. Mr. Rood asked to find out from the people that are doing the grant, do you need an engineer stamp on the set of prints. Bruce Smallacombe said to contact Ken Kurtz, he did the sub flooring. Mr. Smith said Jimmy Allan had the floor redone too. Mr. Smallacombe said we had it completely stripped at one time. Mr. Napoli said the mid 90's. Mr. Smallacombe said there might be an original set of plans downstairs.

Mr. Battenberg said the planning commission met on this tonight. Mr. Battenberg said Randy did come up with the \$8,000 quicker than anybody in this town could have. He did initiate the project, he doesn't think we want to lose his support on this project. Mr. Kulick said he has done nothing but applaud and appraise him. Mr. Battenberg said he doesn't know if Randy is to upset about the price, he thinks he is concerned about the additional prices down the road for different variables. What you guys have to do is all meet together and just talk about the details, why the Engineers are needed. He didn't really know why the Engineers are needed. Mr. Battenberg said you have to meet and describe the details. Randy is apprehensive about, he is afraid if we don't expedite matters, if you slow down the process too much other people might be buying for this \$50,000 grant and we might lose it. Mr. Kulick said those are legitimate concerns but the grant has a cutoff date so they are not going to award the grant to somebody before that cutoff date. Mr. Battenberg said maybe that should be explained to him too, there are a lot of issues that are kind of cloudy. He thinks if you communicate and work things out, maybe he can be a conduit somehow. Mr. Kulick said when he tried to talk to him his mind is closed. Mr. Battenberg said the primary issue is you can't lose this grant and it is for the kids, no one has shown more concern for the kids except maybe for Bruce is Randy. Mr. Kulick said we have to make sure we are doing it the right way and have the right information. We have until may 15<sup>th</sup> to apply for the grant, if we apply today or if we apply May 14<sup>th</sup> its not going to improve our chances. Mr. Battenberg said no one in this town can come up with \$8,000 as quick as he did. Lou Demarco asked what happens if we don't get the grant. Mr. Kulick said then we will refund it. Mr. Smith said there is another problem we discussed at the last meeting. We are only allowed to borrow so much money and what council is doing, we have a number of grants that we are thinking about doing that we are responsible for a certain percentage of those grants, so

we are going to try to put everything together and come up with a total. We weren't talking about the gym floor last month so this is something that is different and he doesn't know what council's thoughts are including the gym floor in that. Mr. Smith said his understanding of this, we have to apply for the state when we take out a loan, the state will tell us how much we can take out, they will look at our finances that we have now, the loans we have now, so we might ask for \$150,000 they might say no you cant do it because with your tax base that is to high. We don't know where that end of the whole project is going.

Mr. Markey said the money that Mr. Smith is talking about, we already got awarded grants. Those are projects and a vehicle that we have already been awarded grants for. We have to pay the money out first and then get reimbursed. Mr. Markey said we got a grant for \$81,000 for a new DPW Plow truck and then we got a grant for \$50,000 to pave the parking lot, we want to see if we can put those two together and go out for a loan to borrow that money in a short term loan until we get the turn around with that grant money and then we use the grant money to pay the loan back. He doesn't think we would include another \$50, xxx for a project that we are just applying for now. We want to make sure we have the grant before we seek state approval before we apply for a loan. If we don't get the grant, then it can be donated to the Borough to fix the dead spots or they can say they want their money back. Mr. Kulick said their money is going to be into a separate account, for some reason this whole thing falls through they will get their money. Mr. Kulick said if the grant requires engineering work to be done then 10% of that grant can be allotted towards engineering costs. That's where that number came up that Randy had in his head, typically it is 10%. Mrs. Dougherty said if this is the case and it was \$5,000 we would need \$200. She will give \$200. We are going 100mph when we don't need to.

There is a lot that goes into it. Basil Kleha said you are guaranteed that \$50,000 grant if awarded, if you know you are getting that \$50,000 grant and you went to the Jermyn bank and you spoke to John, he talked to him about this already, as long they say know they are going to get that money they will lend you money no problem but you have to see what kind of rate you get from that. Mr. Kleha said they will work with a small borough, they will work with you. Mr. Kulick said we are also handcuffed by the guidelines of the state. Mr. Kulick said we aren't going to pass the resolution tonight because we don't know the numbers. Atty. said we can pass the resolution to apply for the grant but just keep the costs out. A motion was made by Mrs. Dougherty to pass the resolution #11-18 authorizing the Borough of Jermyn to apply for a Greenways, Trailways and Recreation program plus \$59,209 Mr. Napoli asked that would be the most it would cost? Mr. Smith said we don't know yet if there is a problem underneath the floor then it would increase the amount, Mr. Napoli we just went over and said we need to have the right cost in the resolution., seconded by Mr. Markey; all in favor, motion carried.

**Shade Tree:** Mrs. Wilson said Berkheimer report from the TCC, we have a meeting the last week in March. She did not get minutes, she will pass them out as to what we did at the last meeting when they get them for April 5.

*Shade Tree Ordinance:* Shade Tree had a special meeting last night. We want to update the ordinance for shade tree. This is what they discussed, Item P: Remains as

is. We would like to add P:1 another paragraph to P, residents receiving notification of overgrown trees or shrubs which need pruning, cutback or removal due to community safety of residents, vehicles, i.e line of sight or two-way traffic, i.e. fire and emergency vehicles will have 30 days to comply regarding their properties trees/shrubs. After 30 days if the issue is not resolved the JSTC will invoice the homeowner \$100 per hour for work to bring the trees/shrubs into compliance for the safety requirements. Penalty for non-compliance see section R. Penalty. Mr. Markey asked where the \$100 per hr. go? Mrs. Wilson said as of last meeting you did not want the DPW's name mentioned because you did not want people to think we leave it go and the DPW will do it. Mr. Markey said so that money is going to shade tree? Mrs. Wilson said yes, if its handed to shade tree and then it will be directly put into the general fund if the DPW does it. Mr. Markey said why the General fund if it's going to shade tree. Mrs. Wilson said the DPW, their pay it can compensate for their working. The Shade tree doesn't want to keep the \$100, we are not doing the work, we are just the instrument ordinance that is collecting. Mrs. Wilson asked Mr. Markey if he has a problem with it. Mr. Markey said no he just wanted clarification. Mr. Smith said he doesn't think it can go into the General fund, he thinks it goes into shade tree and the shade tree pays the DPW. Mrs. Wilson said this will be done on their time, during the day. Mrs. Wilson said we are reimbursing the Borough instead of hiring a personal contractor. We are reimbursing the Borough. Mr. Markey said it is still a Borough ordinance, payment can be made to the Borough. Mr. Smith suggested we ask our auditor. Mrs. Wilson said or it can go into the Shade tree account.

Mrs. Wilson said the DPW has been helping us with a lot of things, the last couple of months we have purchased their outfits for the bucket truck, a saw for them to do all this trimming. The Shade tree has purchased that from their borough account that we have, we are allotted money and if we go over that the Shade tree will take it out of their account that they have. Mr. Markey said the invoice will come from the Shade Tree. Mrs. Wilson said it can come from the Borough. Mr. Markey said he thinks in that ordinance the shade tree can charge. Atty. said it is going to be the Borough. Mr. Smith said as a commission I don't think they can charge. Atty. said he is thinking it is the code enforcement officer that does it. It's not part of the Property Maintenance Code, it is a Borough ordinance, just like a rental property issue is a borough ordinance. It would probably be done through code enforcement, enforcing the ordinance and then to get paid to the Borough. Mrs. Wilson said she would like that, she would not like it to be paid to the commission because we are not doing the work and the second its borough employees and that is put there to offset it. Atty. said its an extra accounting step and auditing explanation. Mr. Smith said in his opinion he doesn't believe that we should be paying the borough employees, we should probably have a separate entity that takes care of this. You should try to keep the Borough out of this. Every time we need somebody call the tree cutting service and they give you an invoice and you pay the invoice you get. Mrs. Wilson said the reason why we bought the bucket truck, Mr. Smith the reason why we bought the bucket truck didn't have anything to do with borough employees being paid. Mrs. Wilson said no but to help cut down some branches and trim back trees. Mr. Smith said that's a different thing all together. Mr. Markey said we aren't necessarily paying the employees. Mr. Smith said he understands that. Mr. Markey said we are paying for a service that is provided. If we decided to pass an ordinance to charge for chipping, which might not be to far down the road, if people continue to throw full trees out there. Mr. Markey said the Borough is charging for a

service that the Borough is providing because they didn't want to go and do what was basically ordered of them and we gave them the 30 day grace period. That is why we are billing because of service that the Borough provided. Mr. Smith said the part that he is having a hard time here is a commission doing this, he understands the Borough charging. Because we have to go do it, the people have been warned. Now we have a commission going out and saying, you owe \$100.00. Atty. mentioned that's why he brought up the code enforcement officer.

Mrs. Wilson said we had a special meeting, the shade tree likes to have hands on, it was mentioned at the last meeting that it should be put in the ordinance. We met and there was a lot of questions like you just asked. The meeting was long. This is just what we came up with, its up to our solicitor to do the proper wording. Atty. said if it's a tree then a remedy for repairing for that as opposed to cleaning up the garbage, you have to show the borough you have cleaned up your garbage within 30 days. In this instance it would be your trees are in violation of this ordinance, you have to rectify that within 30 days, instead of if you don't we are going to take you to the magistrate, it will be if you don't by ordinance we are going to cut it down and charge you. If they cut it down and do a good job, no harm no foul. Mr. Smith said they can get their own service if they want. Mrs. Dougherty said \$100 an hour is cheaper. Mr. Markey said we aren't cutting trees, we are trimming them back, the branches. Mrs. Wilson said we do have a few places that it has to be cut back, is the Shade Tree to give the code enforcement officer those addresses? Atty. said yes just like he relies on the eyes and ears of the Borough which is the police dept. to tell him roofs that are caving in, garbage. Mrs. Wilson said because we were going to do the letters, town wide letters. Solicitor said in the sub section in tree trimming is to describe the process of code enforcement so people will know what is going to happen and what the steps are. Mrs. Wilson said on section 5, C – We were going to put in our letter that is going out, section C, to notify everyone in town that they are not to touch their trees or cut the tops of them without permission or if there is obstruction, severely damaged. We have some people cutting them to the inch of their life. Mr. Napoli asked if it is their own personal trees. Mrs. Wilson said no the greenway, their own personal trees she is not worried about except in some areas there is no greenway and their trees come out into the road.

Mr. Markey said you are sending a letter in town to everyone in town about the ordinance. Mrs. Wilson said no Ordinance Section C that they are not to top a tree or cut back a tree. Mr. Markey said the trees that belong to the Borough. Atty. said in the greenway. Atty. said if we are going to amend or alter the ordinance why not take the extra step and just review the whole thing and make sure there is no other changes that you want, pass it and then send out a letter with a new ordinance. Mrs. Wilson said to every house? Atty. said well you are sending a letter to every house. Mrs. Dougherty said to put it in the newsletter. Mrs. Wilson said if the Shade tree plants a tree we cut it back and prune it. We ask everyone when we plant a tree, we ask everyone in town to water it and if they want to fertilize it, but that doesn't always happen. We usually prune the trees, we take it upon ourselves, the shade tree.

Mrs. Wilson said because it was a special meeting last night, the Shade Tree has a meeting the 1<sup>st</sup> Tuesday in April and they will discuss the donation for the gym floor. They will donate, but they will discuss how much money and you will get a letter from them with the donation amount on it.

April 8, 2018 is the Events Committee meeting and they are going to bring it up at that meeting to get approval.

*Handbook:* Mrs. Wilson said we didn't meet, Mr. Smith was away and she wants him at the meeting. When Mrs. Stephens come back they will have a meeting about the handbook. Look over it and anyone else on council if you have any problems or anything you want to change with the handbook we will be meeting in April. Mrs. Wilson said she has everything with DPW the beginning salary and salary top but we need that for the police officers also. We don't want it to general but it doesn't have to be terribly to the dot too, she will talk to the Chief about that.

*Lazy Duck Race:* May 28, 2018 Memorial Day \$5.00 donation for a ticket, only 400 sold.

*Shade Tree Commission:* A letter will be given to council on April the 5<sup>th</sup> for approval. Clean up month will be April 23, 2018 to May 25, 2018 – involve everyone in Jermyn, clean the sidewalks, curbs etc.

April 27, 2018 Arbor Day – at 6:00pm in or around that week, the girl scouts usually plant the tree. There will be a ceremony. It will be in the letter to be announced

*Shade Tree Commission and Borough Council will be sponsoring an annual town wide yard sale* on June 2, 2018 and June 3, 2018. All items must be on the property of the property owner and must not interfere with pedestrian or traffic flow. Rain date June 9 & 10

*Events Committee*– annual concert July 8, 2018 6pm to 8pm.

Mrs. Wilson said all of what she mentioned pertaining to Shade Tree will be in a letter for next meeting, for permission.

**Finance:**Mr. Smith said we went through the budget and the Borough will donate \$500 to the gym floor, \$200 will be coming out of the recreation and \$300 will be coming out of administration. Mr. Napoli said who is we? Mr. Markey asked who met. Mr. Smith said Mr. Kulick asked him to go through the budget to come up with some money for the floor. Mr. Markey said the recreation commission already pledged \$1,000 out of our own bank account. Mr. Smith said he did not know that. Mr. Smith said he wont take it out since they are already doing \$1,000.

**Sound System:**Mr. Kulick said we only have 1 quote for a new sound system. It is \$4,400.30. He doesn't think that is going to happen this year. Mr. Markey said he thinks we might be able to do this purchase and installation in house, a lot cheaper. Mr. Markey asked the mayor to look into and start researching some different sound equipment. We were talking about putting speakers in the drop ceiling so people back there can hear and replacing the amplifier, microphone system and getting the stereo speakers out of here that we don't really need. Mr. Markey said he thinks we will be able to do it cheaper. Mr. Rood said he has two or three in ceiling speakers he would donate to the Borough.

**New Business:** Mrs. Dougherty said she is not sure if some of these things are being done now, do we ask non-profits for payment in lieu of taxes? Mr. Markey said we do not ask. Mr. Markey said we have got them from the County from Henry Dr. I know we don't ask, we don't send any letters out.

Mrs. Dougherty asked the solicitor if he is familiar with franchise fees for the utilities. Atty. said no yet but what would we need to know. Mrs. Dougherty asked if it is something we can look into. Atty. asked if there are specific properties. Mrs. Dougherty said it would be for the utility companies, its generally 5% of their revenue that goes back to the municipality for the use of the right of way, the space that they are using.

Mrs. Wilson said the first phase for the Hometown heroes is coming to a close. We are going to pre-order the brackets.

Mayor asked Mrs. Wilson if she can get dimensions for the banners so we can start putting them up. She is hoping they send a sample.

Mrs. Wilson said she would like to have a ribbon cutting on Memorial Day before the parade. The parade starts at the convenient on Main.

Mr. Markey asked what we can do with 577 Washington. Atty. said he will look at the rental issue and the health and safety portion. We got that first round out, now we are going to be working on the second round.

Mr. Markey asked Mr. Kutch if he was able to take a look at Mr. Monahans Property on Division. Mr. Kutch said Tony was there.

Mr. Kulick said when we next meet, it will be through March which means the next round of non paying garbage people will not be getting their garbage picked up.

Basil Kleha asked if the planning commission can change their meetings to the 4<sup>th</sup> Tuesday of the month. Mr. Markey asked if it has to be advertised. Atty. said yes if its available for public attendance.

A motion was made by Mr. Napoli and seconded by Mrs. Wilson to adjourn the meeting at 9:30pm. All in favor; motion carried.