

Jermyn Borough

Council Minutes

May 17, 2018

The Jermyn Borough Council held a council meeting on May 17, 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: Frank Kulick, Kristen Dougherty, Dan Markey (tardy), Kevin Napoli, Cynthia Stephens and JoAnne Wilson. Also present were Mayor Fuga, Atty. William Aquilino, Tony Grizzanti, Ray Rood, Bob Chase.

MINUTES: A motion was made by Mr. Napoli and seconded by Mrs. Stephens to accept the minutes of April 19, 2018. All in favor; motion carried.

TREASURER'S REPORT: General Fund \$187,700.20, Recycling \$6,073.02; Refuse \$78,274.94, Investment Liquid Fuels \$43,862.78, Liquid Fuels Checking \$76,666.57, DPW Capital Reserve \$38,884.30. Disbursements from April 20, 2018 to May 17, 2018 including 2 periods of payroll \$52,798.13. Deposits \$103,218.11.

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

Correspondence: Diane Truman- Mrs. Truman wrote a letter to council. Reminding about the ditch in front of 248 Delaware. The situation is getting worse. The past heavy rains, the entire sidewalk was flooded and the concrete blocks are becoming very uneven. Something has to be done. Mr. Kulick gave the letter to Mr. Markey DPW Chairman to look over.

We are still waiting to hear back from the state in regards to the grant we submitted for the drainage project on Delaware.

Public Comment:

Frank Mangan-610 Washington. A roofer contractor has been engaged to replace the entire roof and he can do it in a couple of days, he is waiting for a break in the weather. The other violation concerns the rear apartment in that building, most of the work has been done. We are waiting for an electrical part, which we need a break in the weather because it concerns venting to the outside. He is waiting for the break in the weather and all things should be done.

Donna Stackel- 377 Washington Ave. Ms. Stackel said she has four concerns, the house on 218 Hudson, she has not heard mentioned. It is like an abandoned trailer, the other item is the trailer that is down in the pit on Franklin St., there is not number on it. It is in bad disarray. The other house on Main St. that burned, what is the status on that?

402 Delaware is very concerned about his drain, he would like it flushed out properly because he is having very bad water problems.

Mr. Kulick said he will add them to the list of properties. Basil said 402 Delaware, he believes when we went over to flush it, we flushed on Elm St., he was looking for Delaware. Mayor said we will have to go back over with the fire truck. We will do both Elm and Delaware.

Andy Whitiak- when he went over to Delaware with all that rain the other night he saw it backing up, is there a problem? Mayor said no, the drainage system gets taxed to the point, its going to get backed up but it will take it. If it was laying there after the storm then there is a problem. We monitor that periodically. It was a torrential downpour.

Katelyn English Lackawanna County: Senior Fun Day at McDade Park June 15 at 10AM-1pm

2018 Tennis Clinic Ages 8-16 multiple dates/times and venues that are listed – check the County Website. Blight to Bright Public Meetings Wed May 23 6PM Goodwill at North, Thursday June 7 6PM, Anthracite Center, Monday June 4, 6PM at PNC Field, Monday June 11, 911 Center 6PM. Youth Soccer Clinic Merli Sernoski June 25-28 9:30AM-12PM, Covington Park July 9-12 9:30AM-12PM, McDade Park July 23-26 5:30PM – 8PM. Ages 5-14, Cost is \$45.00

Andy Whitiak 512 Garfield – Mr. Whitiak said the sewer line in front of the house, we know there is a problem, he would like an update on the record. Mayor said he came back and camerad the system, we are waiting to see on what plan of action we are going to take from there. It will be on a maintenance plan and we are going to keep an eye on it until we can actually get it fixed. Mr. Whitiak asked if there is a time maintenance plan. Mayor said the person who camerad it and backed it out, he recommended every 6 months for the condition of the line. Mr. Whitiak said it backed up on me 3 times in 6 weeks. Mayor said that was before it was cleaned, now that it has been cleaned that is what he recommended, we were having the grease problem and then there were other issues there. It is clean and it is flowing. Mr. Whitiak asked what the maintenance program is? Mayor said he will come up with he vac. Truck. Mr. Whitiak asked what about the Borough? Mayor said we will keep checking it and if we see something that concerns us we will get in contact with him.

Mr. Whitiak said the water in front of his house is still there. It was brought up and he did say he would take care of it but he backed off it and said it is a Borough problem. Mayor said we have a new backhoe now and that was the first piece of the puzzle we needed, now we can get the attachment to mill in front of the house and take care of the water. Mr. Whitiak said it is coming down from Garfield, all the way down and then its going across. He said his drain works in front of the house. Mayor said when they bumped the roads together and at some point, the one side of the road lifted a little high and that is where it dams up and where we have to mill it down. Once we mill it down it will take everything to drain. We don't want to do too much to disturb everything. Mr. Whitiak said it looks like water is getting underneath. Mayor said it is, its all lifted and it will have to be milled and repaired also.

Mr. Whitiak thanked them for taking the Japanese knotweed. They are coming into our yard, they are jumping from Borough property onto his property. It is getting really bad this year and they are growing fast. He put that wall up to separate the Borough property from his and it came through the wall and is now a good 10ft. on his property. Mr. Whitiak said it does not look good. He cut it down but its jumping over from Borough property. Mayor said we need to look into, with all this Japanese knotweed, we are going to have to get onto a spraying program. We will have to go for training to do it and be a licensed facility to do it, you have to have a license to spray. We have to look into getting the education to do it and we will be able to take care of problems like that. Right now, we can't. Mayor said you have to keep knocking it down and after awhile it will die off. We have to be able to spray the chemical to do it. It's roundup but when the Borough is doing it, they want certain criteria in that. Mr. Whitiak said the Klapash's cut his grass but his brother who is certified and he approached the Borough to do it just for cost, all over the Borough he was going to do it. Mrs. Wilson said he never contacted Shade Tree. Mr. Whitiak said maybe the Borough should contact him. It might be the cheapest way to do it. Mayor said in the meantime we will look into getting certified to do it. Mr. Whitiak said he would like his yard taken care of. Mayor said there is a lot of areas we want sprayed, we are stuck knocking it down and it's a pain. It grows so fast. Mrs. Wilson said in the fall you don't cut it back, you spray roundup on it that's when they take it into their roots. You have to do it two years in a row, in the fall is when you get it on the leaves so it takes it down into the root. Mr. Whitiak said he is looking at help from the Borough instead of the cost because its jumping to my line from the Borough line. Mr. Whitiak said years ago they came in with backhoe and were knocking down the trees. He said he has pictures of it. Mr. Whitiak said he is looking for help. Mayor said we have numerous places to take care of, it isn't something that is being ignored, its more of a process.

Mr. Whitiak asked about the business ordinance. Is that about charging businesses \$25.00? Mr. Kulick said we are going to discuss that later in the meeting. Mr. Whitiak said as a former business owner this is his time and he saw it posted. He thanked Mrs. Stephens for voting against it. Mr. Napoli said it wasn't officially voted for. Mr. Whitiak said he knows what it was but wanted to thank her for voting no. Mr. Whitiak said the first place anyone goes to, Shade Tree, Fire Co's, the first place they go to is the businesses. Why charge \$25.00 when every time you need something, you're here 2 years, he is here 40 years, he doesn't remember council ever doing anything for us. Why charge them \$25.00. They are all going to pay it but what are you going to do send the zoning officer out if they don't. Mr. Kulick said we are going to discuss that ordinance later in the meeting. Your points are well taken but there are some different thoughts on it, its not about the money but there are other reasons for it. Mr. Whitiak said its 50 years that him and his family were involved in business and he doesn't remember the Borough doing much, there were a few, Jerry Giles, Buckingham and Callahan. You shook their hand, it was done. Two years, what did this council do for businesses? He is just trying to make a point. Mr. Kulick said your point is taken but he isn't exactly sure what your point is. Mr. Whitiak said why charge \$25.00 because everybody goes and gets donations off of businesses. Mr. Kulick said you are missing the point. Mr. Whitiak said he is not. Mr. Kulick said we are going to discuss this later in the meeting, your point is well taken. Mr. Whitiak asked executive session or an open meeting? Mr. Kulick said an open meeting. Mr. Whitiak said he asked a question, what did you do for businesses in the last 2 years? Mr. Kulick said according to you, nothing.

Mr. Whitiak asked what he did in the last 2 years? Mr. Kulick asked what he would like us to do?

Open Council Seat:Mr. Kulick said there was a vacancy board meeting at 6:30. Carl Tomaine Jr. was appointed to fill the vacant council seat.

Mayor:Mayor acknowledged Chief Arthur, a couple of weeks ago, he responded to a fire call on the other end of town. He arrived first and he went in and went right to work with a fire extinguisher and knocked down the fire. He did a very good job.

Police:Chief Arthur said they have been slow this past reporting session. He thanked the fire police, we had several incidents within the past month. The fire police came out and they do a good job, it frees the police up to do other work. They are all volunteers along with the fire dept. They are an asset to the Borough. Chief Arthur wants to make everyone aware of the internet scams that are going around. If you receive an email saying you won something or money and you need to submit money to receive the money, that is a scam. The IRS doesn't call people and request music google cards to pay off your tax debt. If it looks too good to be true, it probably is. Mrs. Wilson wants to thank the police. A tractor trailer going over to Bardanes, she was there coming through. We have to get signs on Bridge St. Mr. Chase said there is signs. Mrs. Wilson said we have to get no trucks sign. Chief Arthur said we have been running speed more.

Mr. DeMarco asked about the open council seat, the 6:30 meeting was that advertised? Mr. Kulick said yes. Mr. DeMarco asked where? Mr. Kulick said the Scranton Times. Mr. DeMarco said why didn't you put it on Facebook like everything else or was it on Facebook and he just missed it. Mr. Napoli said it's been on Facebook. Mr. DeMarco said the vacancy board meeting was on Facebook or the open council seat? Mr. Napoli said the open council seat. Mr. DeMarco said every other meeting is on Facebook, why wasn't this one put on it? Mr. Napoli said it might have been overlooked. Mr. Kulick said we advertised the seat being open for a long time, no one responded so unfortunately, we had to go to the vacancy board. If we didn't fill that tonight it would have went to the Lackawanna County Courts. Mr. Kulick said there were two people that applied. Mr. DeMarco asked why we had to go to the vacancy board if 2 people applied. Mr. Kulick said they applied after the 30 days. Mr. DeMarco asked if council makes up the vacancy board. Mr. Kulick said the vacancy board is made up of council and one resident, John Frankosky who chairs the meeting.

Fire:Mr. Rood said comm. Center didn't call Chief Arthur on that call. With the new laptops they have in their cars, that is how he saw it and made a response on it. It helps us. Mr. Rood said he is ready to set Chief Arthur up with the text messaging so he knows when we are going on calls. He will know where the calls are. Mr. Rood said we had a few out of town calls besides the one we had in town. The Crystal Fire Co. will have their chicken BBQ Sunday May 20.

Zoning:Mr. Chase said he has issued quite a few permits within the past month. Several commercial permits, a lot of residential. Found a couple of building without permits. Mr. Kulick asked if there was any update on the two sheds. Mr. Chase said one is waiting on me and the other one we have the paperwork that was returned in the mail, he isn't sure what the next process is, if he has to file this with the magistrate. Atty.

said they will talk about it. Mrs. Wilson asked if Mr. Rinaldi called from the property at 105 Delaware. Mr. Chase said its not a zoning issue at all and in fact now its more of a civil matter, we are kind of out of it. It's between the two neighbors, he paved his neighbor's property. His worry as a citizen of Jermyn is that these people are going to get squatters rights of some sort.

Secretary: The documents were signed for the Woodlands Sewer Grant, we are awaiting executed copies to come back. There have been very few resident complaints this month. Received one concern/complaint regarding a tree on 646 Madison Ave. The neighbor indicated the tree is dead and if it falls will fall onto his fence. Also, another issue on 427 Washington, racoons in the house. It was requested by our Workers Comp. that we update the handbook. Mr. Kutch is working on the site plan for the DPW garage and we should have more details next week. We had a few bad checks written out to the Borough, received by the secretary and Ann Marie – tax collector, suggested to have an ordinance for those whose checks do not clear to pay the bank fee.

Engineer:Mr. Grizzanti asked if anyone had any questions for him. Mr. Kutch mentioned to him about the paving of the lot. We have the grant from a few years ago that we wanted so much but we only got \$55,000. Mr. Kutch said he seems to think we want to be able to drive around the salt shed. Mr. Napoli said yes. Mr. Grizzanti said we would come in the alleyway and drive behind the salt shed. Mayor said there will be parking there as well, we will clean everything out. Mr. Grizzanti asked if we are thinking that everything will be pretty much paved then. Mayor said as far as \$55,000 can take us. Mr. Grizzanti said he doesn't know if \$55,000 will take us that far. Mayor said the best way to go about it is take it as far as \$55,000 will take us and we will go from there and figure out something else. Mayor said the concern is the main part with all the foot traffic and all the mud and debris. Mr. Grizzanti said he was talking to Jeff today and he was asking about the sewer. Mr. Grizzanti said it is right there along the property line. He is assuming we want to get gas and water from the road. Mayor said yes. Mr. Rood said we got rid of the old firehouse and all that there, Mr. Markey started talking about \$40,000 and between Tony and myself thinking about it we are up to \$100,000 and some now. Mr. Grizzanti said he thinks the estimate was more than that. More than \$100,000. Mr. Rood said he was told it wouldn't be that much, his question is we could have put a few dollars in the old building, do we have it planned how we are going to pay for this, we aren't getting a grant from USDA we are getting a loan. He doesn't know what it is going to cost us when the bids come in. Is there a plan how we are going to pay for it? Mr. Kulick said we are going to get a loan and we are going to pay for it. They have long term low interest loans. Mr. Rood said they gave you the money for Main St. but look at the costs to keep it up. Its no different if you have a loan for your house, do we have the resources to pay this thing back and on a monthly basis. Mr. DeMarco asked what about 5 years from now when the siren has to come out of this building or is that going to be the next council's problem if you guys aren't here. Mr. Kulick said technically we do not need the siren. Mr. Rood said yes, we do. Mr. Kulick said no we don't. Mr. Rood said federal law, James Perry must be wrong. Mr. Kulick said other Boroughs have got rid of it. Mr. DeMarco asked if there is \$25,000 set aside, that was the estimate that you got, what happens in 5 years from now and the siren is still in that building and that guy says get it out of here and you aren't on council. Mr. Kulick said you are asking me a question, I do not have an answer too. Mr. DeMarco said maybe we should think about that.

Mr. Kulick said we are looking at things for the future that is why we are looking at a building for the DPW and why we are buying the equipment we buy. We are paying the price for that, they kicked the can to us we aren't going to kick the can to anyone else. Did we take \$25,000 and put aside, no we did not. It is something that we will have to look at. Legally he does not think we have to have a siren. There is technology now that is much more simpler to operate. Mr. Rood said you are correct, just so Mr. DeMarco knows, it was originally \$25,000 from someone else and we did prices from other companies and it came in around \$15,000-\$16,000. Mr. Rood said what he got from James Perry was from awhile ago and if you researched it recently, he isn't arguing that its not true. Mr. Kulick said he could be wrong too. Mayor said even if we kept that building with the siren, there was going to come a point in time that it was going to have to be replaced. It is old and getting to the point where its on its last leg. By purchasing a new one you are going to get something more modern. The new one that Mayfield has, the control board is like a little laptop. Mr. DeMarco said why not do it now and get it over with, why wait to spend the money then. Mr. Rood said what Mr. Kulick is saying that if we don't need it and we probably don't, is it nice sometimes yes but we have 3 messages we get, we get a text page, fire Co's have active 911 and our text messages on the phone. Mr. DeMarco said if its required why not just spend the money now. We got a lot more for that Building then anyone ever anticipated. That building was \$25,000. We got lucky that someone gave us \$40,000. Why not just take care of it now instead of leave it lingering? Take care of it now and just be done. Mr. Rood said he will do some research. Mr. Napoli said him and Mr. Kulick were going back and forth about it 2-3 months ago and almost everything they found said that Federal law no longer regulates it because of all the different dispatch services that are now available to emergency services.

Mr. DeMarco said its \$15,000 now it will be \$30,000 in 5 years. Mr. Kulick asked Mr. Grizzanti if Mr. Kutch asked about the letter he wrote in regards to DEP and the creek project. Mr. Grizzanti said he saw the letter and he knows Mr. Kutch called and he doesn't know if he found anything out. Mr. Kulick requested for an update for next meeting. Mr. DeMarco asked if his idea is to eliminate the flood control project and do something else. Mr. Kulick said not necessarily but we keep getting more and more road blocks with DEP and now it seems like its between DEP and Army Corp of Engineers, they can't agree. The County Engineer Gary Cavill he called Mr. Kulick said it had to do with the Japanese knotweed, we have to create a wetland. It would cost us \$15,000 a year just to maintain that and he suggested that there is something to do with putting a state wetland bank that you make a one-time contribution and you are done with it. In a letter he wrote asking them to look into that and they responded. It was beyond his expertise so he turned it over to the Borough Engineer to get some feedback. Mr. Kulick said he still thinks that maybe there is alternatives other than the creek project in general to solve this and protect ourselves. The longer it goes, we are looking at 2022 is the latest make-believe date. Mayor said the costs keep going up.

Solicitor/Code Enforcement: Atty. said we have had some communication with several property owners who are in bankruptcy and also subject to code enforcement proceedings, fortunately for the tax payers of Jermyn, if you file for bankruptcy in a result of backed taxes is what happens is the backed taxes become part of the payment out of the estate so the Borough of Jermyn will get paid over a 3-5 year period. There are additional complaints regarding some run down buildings that need to be

condemned and the Borough will have to decide whether or not we are going to want to be owners of these buildings or what steps we are going to have to take, that is a larger discussion. Mr. DeMarco asked how we are going to finance them. Atty. said one of the things that were brought to his attention today was the blight to bright program, which he is going to look into and he will be contacting them tomorrow. Mr. DeMarco asked how we plan to pay for this if we have to take them to court? Atty. said the two general options are collection of fines and inspection costs from the property owner or possession of the property. Mr. Markey communicated to him the opportunity to turn some of these properties into community assets so this is one of the things we are looking into. Ms. Stackel asked what happens to the one on Franklin that is up for sale. Atty. said he would be surprised if that for sale sign is anything other than a sign. Even if that is the case, whoever the new property owner is, is going to have to do the same repairs so it doesn't really change anything. Mr. Rood said he knew someone that called the number and there was no answer. Mr. DeMarco asked if the Borough is going to keep fronting the money until its eventually recouped or sold. Where is all this money coming from to do this, he thinks it's a good idea and isn't against it, some of these properties need to be taken down. Atty. said the magistrate costs are in the statute or ordinance for the Borough, he thinks its \$75.00/hr. It's something we have not discussed yet, this is in its infancy. It was brought up as recent as yesterday about using the blight to bright program in turning some of these properties into community assets, eventually within the next month or so he will be able to answer more questions but there is still a lot of research. Mr. Rood said he has been with 536 Washington, he was going to rebuild, he did some drawings for him and he does have a zoning permit which he probably has to reapply for to build on existing property. He is from New York State, he is looking at tearing it down now. He is waiting for figures to come back. Atty. asked Tony Grizzanti if they have a certified housing inspector at KBA. Mr. Grizzanti said we do and Mr. Kutch would also come under that, his credentials would go above and beyond that. Atty. asked if there are certain specifications with the state, the ones that the realtors use you have to take a class. Mr. Grizzanti said Chris at their office does have that.

Shade Tree: Mrs. Wilson said the administrative handbook, they will meet sometime next week during the day until someone is appointed as the third member. They will start a second phase in about 2-3 months for the banners. The Memorial Day ribbon cutting, all council is invited, solicitor and Mayor at 10:45AM at the Windsor and if we could have about 10:45AM the traffic stopped so our police dept. will be involved in that and it will only take a couple of minutes to cut the ribbon and then we are going to proceed down one block to the Franklin and Main and the parade will start. The American Legion is invited to be at the Ribbon Cutting and the Shade Tree also.

Mrs. Wilson said the berm on Delaware, she has a complaint from the Walsh's and the Hosie's. When Wayco did the black topping there, it was discussed with the homeowners that they were going to pave right up to the sidewalk and get rid of any 6 inch or 1 ft. greenway that was there. They said ok but Wayco said they would put a berm to keep the water from going onto their property. They did not. Mayor said Shane from Wayco contacted him and they were supposed to send someone down to look at Madison and a few of the other roads, he hasn't got back to me yet. They had crews working in the area, he will have to follow up with him tomorrow and he will give him a call. Mr. Kulick asked if they can take a look over there.

Mrs. Wilson said future plans for the water retention ponds by Garfield Ave. Mayor and Mrs. Wilson were at the MS4 meeting. Mrs. Wilson said she wanted to talk about having a water garden, the plants will eat up the water and absorb it, at least to make it look half way decent so that we can maintain it instead of having to go in and cut it. Mayor said the one on Garfield, that is planted with wildflowers. Mrs. Wilson said there are trees planted in there too. Mayor said we were reluctant to cut it, we were only cutting it because they want it down. How we should handle it in the future, we will cut around the top but leave the basin alone and let that grow naturally. The man from DEP at the MS4 suggested that also, to keep it more natural; we can start to do that. If you notice there are a lot of flowers in there and it looks nice when they start blooming. Mrs. Wilson asked about the one across from Whitiak's. Mayor said that is not ours, we do not take care of it and we have nothing to do it or do we want anything to do with it. Mrs. Wilson said we will cross that one off.

Mrs. Wilson said the Main St. has been cut to a certain point and for Memorial Day, we will go all the way down. The homeowners, the majority of them; 80% of them, maybe even more cut the grass but if it is not cut for Memorial Day so the town looks nice, the Shade Tree will do it. The only thing is, there are some homes, Palermo is one of them that the grass in front is horrible, it is getting very high. Is our police chief going to handle that? Give them warnings and if they don't do it within a specific period of time, cite them or is it the code enforcement. Atty. said it would be the code enforcement. Mrs. Wilson said there are a couple of them that are getting unruly. Also, the house across from the Dollar General. Mrs. Wilson said she received a call from Mr. Hunt in regards to the water in the basement. He was supposed to send pictures. Mrs. Wilson said we have done everything we can. Mr. Napoli said according to the Borough Engineer, we done everything we possibly can and its no longer our issue, its his own property that is causing the issue. Mrs. Wilson said and the properties around him but they are private properties. Mrs. Wilson said she would bring it up.

Mrs. Wilson said she was in touch with John's corn. The Snyder's can not do it again this year for the Farmers Market. She has talked to John's corn and they are going to call her back and we are going to look at the WWI park where we always have it and hopefully, we will get something in July. As we always have done the same procedure, it is sponsored by the Shade Tree, we will advertise it but no permit. They are doing the town a favor; do we have to vote on it? If the Shade Tree gets the Farmer's Market, she would like to cancel the permit of any sort for them. We have always done it before, they are doing a Jermyn a service, coming in here for the elderly and the people of Jermyn. Mr. Kulick asked what kind of permit is it, solicitation permit? Mrs. Wilson said she doesn't know, she just wants to make sure. Mr. Kulick, it would be solicitation. The Chief said they are not soliciting. Mr. Kulick said at this point, there is no business permit. Mrs. Wilson said she just wants to make sure. They can come in as a service to Jermyn residents.

Mrs. Wilson said the yard sale is going to be advertised in the newspaper this week.

Mr. Kulick asked Mrs. Wilson if she is the contact person for the second wave of the banners. Mrs. Wilson said yes, PO BOX #1 Jermyn, is the mailing address.

DPW:Mr. Markey said the backhoe has been delivered and is working our pretty well for us. The extra piping in the back has been sold and will hopefully be gone shortly. It sold on municibid for a total of \$426.00.

Electronics Recycling will be Wednesdays and Fridays in June and instead of them bringing it to the Borough building, the DPW is going to pick it up curbside once scheduled. To schedule a pick up, residents are to call the Borough Office. Mr. Markey said they do ask that everything is intact, so they do not want any picture tube TV's with the picture tube busted. They want all the cords intact. Mr. Markey asks that people put them out the night before so there is a less of a chance that someone comes by and rips the cords out.

Mr. Markey said he spoke with USDA yesterday, they are waiting for the site plans from KBA.

The second free little library, we want decorate it by having the children in town have their hand prints painted on there. All Jermyn resident children 12 and under are welcome to come to the Borough gym in Sunday June 3 from 1pm-3pm. All supplies will be provided and they can come and get their hand dipped in paint and put it on there. We will write their name on it too so they can come back and years later and come and see their handprints from when they were smaller.

Mr. Markey said 6 wireless cameras were ordered for the park, they will be installed within the next couple of weeks. With those HD cameras, we are going to put them on the ball fields, basketball court, pavilion, stand, batting cage. We are going to have capability for the police to have an app. And they will get an alert. They can set it up to get an alert whenever motion is detected, if they want to set that up with the overnight guys, they can add that. Otherwise we still have the DVR to go back on if we see vandalism.

Mr. Markey said we voted before to buy the crack sealer for 5 yearly installments. We moved some money over to the DPW capital reserve account. The Finance Committee meeting, we talked about it and thought it might be a better idea if we just use some of the DPW Capital Reserve funds and just buy it out right. There is less we will have to budget for yearly payments. Mrs. Wilson asked if they will be cutting themselves short. Mr. Markey said no. That truck out there still has 3 weeks to go in the auction and its far exceeded our expectations already. Mr. DeMarco asked what it is up to. Mayor said \$16,600. Mr. Markey said we valued it at \$12,000.

A motion was made by Mr. Markey and seconded by Mrs. Dougherty to buy the crack sealer outright instead of financing it for 5 years. All in favor; motion carried.

Business Ordinance:Mr. Kulick said the ordinance was advertised. Based on conversations we have had amongst ourselves and others, there were some questions about this ordinance. Mr. Kulick said Mr. Whitiak was incorrect, he was correct that Cindy was the one that voted against it but he was absent at that meeting so he didn't vote for or against it. Mr. Kulick said at one meeting Mr. Chase said it was a part of zoning or should be zoning. Mr. Chase said whenever you open a business in Jermyn, you can't come in and open any business, there are certain businesses that are only

allowed in certain areas and it's a use. Mr. Kulick said so that means they have to meet the use of the area that they are opening the business. Mr. Chase said it has to fall within a criteria, you can't do manufacturing in commercial area. We can't have a small engine repair business in a residential area and you can't have a machine shop in a business area. Mr. Kulick asked if he thinks that there are businesses that are in town or could come to town that don't realize it maybe whatever they are doing is against zoning. Mr. Chase said he has caught several in the past. Mr. Kulick asked wouldn't you agree if there was some kind of criteria for permit not necessarily with a financial component of it but some kind of business permit, saying ok you can open your business, you registered with the Borough we made sure you are in the proper zoning, we made sure that your actually a licensed business. Mr. Chase said that can be done by simply adding a line in the zoning ordinance that states that any business that you do will require zoning. If the proper wording was there, any business you are opening up, you have to apply for zoning; its not a yearly thing. He understands what you are doing, better understanding what type of work they do.

Mr. Kulick said we are making it clear, there isn't any question, if you want to open up a business in this town, you need to fill out the business registration. Mrs. Dougherty asked if it can be something like a use permit. Mr. Chase said if you open up a business in your house, then you are changing the use, you aren't a residential house. Mr. Kulick said how are they going to know its in zoning. If they come into the town and open up a business they need a business permit issued by the Borough. Mr. DeMarco asked how they will know to fill it out. Mr. Chase asked how it is different. Mr. DeMarco asked how they will know, how is it different. Mr. Kulick said the zoning ordinance is quite large for somebody to go through it. If you want to open up a business in this town you have to get a business permit. He can understand the argument about the \$25.00 and understands about grandfathering in businesses that exists. He can't understand an argument against having something that tells us what is going on in the town. Mr. Markey said for example, did you know about Cosmetologist on Rushbrook, not the legal one but the Andrea Love and Passion on Rushbrook St. Jermyn PA 18433. Mr. Markey said this is just an example that he found that one of our local residents on Washington Ave. is advertising on Facebook for free haircuts for men ends today because she's licensed and she's just starting out on her own and wants everyone to know that she is here. With something like this, she would be required to get a use permit right? Mr. Chase said she may or may not. Mr. Markey said it depends on where she is at and what the zoning is. Mr. Rood said he agrees on what they are trying to do as a business owner, like the Chinese place came in and left and no one knew anything about it. Mr. Rood said to fill out a permit, he agrees with but the \$25.00 not that he wouldn't pay it but do you really need the \$25.00 for them to fill out a permit.

Mr. Napoli said no. Mr. Markey said we should compromise, before we wanted it \$25.00 for a brick and mortar store, let's get rid of the \$25.00 and make everybody who has a business fill out a permit and get it on the registry. Mr. Rood said it would be a good thing for the fire company too because we would know what they have in the business for example chemicals and we can put it in our active 911. Mr. Markey said if we have someone that is working in the Borough they should be paying an LST tax. Mr. Napoli said his reason was going go through with having some sort of business permit is that it can be used as a database for emergency services from his experience can know what we are going into and know what is going on around us. Mr. Napoli said he is hoping

that if we do make it free then more people would be more likely to fill out the paperwork. Mrs. Wilson said it should be a one-time registration form, the established businesses shouldn't have to fill it out every year, its not an annual thing, unless the business changes. Mr. Markey asked if we are going to enforce a penalty for not doing. We enforce penalties on our current ordinances and now we want to enforce them there's a lot of people that have a lot of problems with us. Mrs. Wilson said we are not charging the businesses to fill this out. Mr. Markey said what if they don't fill out, what if they say I want to lay low, I don't want to let anyone know I am here. Mr. DeMarco said the big thing is the cost for enforcement. Mr. Markey said the solicitor, when he does work for us in the capacity as the solicitor its \$400 retainer a month. Mr. DeMarco asked if you go to court its all covered? Mr. Markey said no court is per hour. Mr. Kulick said he understands what Mr. DeMarco is saying but that is like an excuse to do nothing, that is what happened all these years that is why we are at where we are at. Mr. DeMarco said he just worried about the costs. Mr. Kulick said it comes with a cost and we have to be prepared to either pay that cost or just take the ordinances and throw them out the window because they don't mean anything, if we don't enforce them they don't mean anything. Mr. DeMarco said is there something for 2019 budget for this? Eventually it is going to cost the Borough money and he's worried about that. Mr. Kulick said to suggest how to fight it without spending money. Mr. DeMarco asked if we have the money to go to court if these cases go to court? Mr. Rood said he thinks we are getting costs involved too much, we don't know what the costs will be until we get to that point. That is council's decision once we get to that point, if its gets to that point and council has to make that decision do we have the money now, we have to make that decision at the time if one of these properties goes to that point, does council want to proceed. Which they did want to proceed with the other one and unfortunately, they held out to long. Mr. DeMarco said you guys stop 75% of the blight just by sending letters and visits then you are doing a good job.

Mr. Napoli said he would like to see the business ordinance continue with no cost to the business and a one-time permit and the only time that business should have to reapply is if it changes hands or becomes bigger. Mr. Markey asked if it has to be re-advertised. Atty. said we are changing the amount and the yearly aspect of it, anything else? Atty. said we will rewrite it.

Chicken Ordinance: Mrs. Stephens provided council with Mayfield's ordinance. You have to apply every year, if you are having chickens your neighbors on each side of your residence have to sign that they are accepting it. No roosters allowed. It is \$20 per permit and every year has to be filled out. Atty. said the no eating rule is so people don't turn this into family farms that are not zoned. Atty. said he would like to read through this, as far as the application goes there might be a couple things we want to clear up which is restricting sq. ft. of the coop. Mr. Chase said they are allowed two accessory structures, a kennel and a kids play house is exempt from the accessory structure, will the chicken coop be an accessory structure? Atty. said chicken coops are notorious for attracting raccoons and foxes. There is a lot that goes along with this. Mr. Markey said he commends Riley who came before council in regards to the chickens. Mr. Markey said just out of curiosity, has anyone looked into or asked, do we know what the scope of people in Jermyrn that wants chickens. Is it 10% of people, 80% of the people, 2% of the people? Mr. Chase said he gets calls a lot, he gets people that want pigs. Mr. Markey said that is the other question, does this open us up for other stuff, you let us

have chickens why can't we have pigs. Mrs. Dougherty said with Mayfield's Ordinance stating that they have to have permission from the neighbor's, it might cause fighting between neighbors over chickens.

Tree in Creek:Mr. Constantine raised an issue about trees in Rushbrook Creek by the Windsor, which is the Windsor's tree. Mr. Rood said one concern that was brought up by a tenant of the Brenzel building is if that one that is in there now does come down it is going to hit their building. Mr. Markey said the issue right now, it is in a precarious space; cutting it down he doesn't think is as much as a problem as getting it removed safely without any property damage. It's already leaning up against the fence which may be causing property damage to that fence. Mr. Markey said when he spoke with the Windsor about the tree in the creek, they have a problem with the Brake Retarder sign because when people are coming off of 107 from the Casey, people are complaining that they can not see the Windsor sign because of the Brake sign is right there. Mr. Markey told him that yes, we put them up but we had to follow the letter of the law from PennDOT and we couldn't move one inch from where they told us. He did request that maybe we reach out to PennDOT and ask if we can move end of Brake retarder prohibition sign and he told him that we can and when PennDOT tells us no, he can go ahead and ask them.

Summer Program:Mr. Kulick said we had zero applicants for our summer program. If anyone has a college age or high school student. Mr. Napoli asked if we can put anything up at the high school. Mr. Kulick said we prefer college. Mrs. Dougherty asked if it can be a recent high school graduate.

Zoning Hearing Board:Mr. Kulick said he did some research and found that we either need to change our ordinance on the zoning hearing board or delegate 2 members to alternates. The ordinance says the zoning hearing board consists of 3 members and 2 alternates, we have 5 members; we are in violation of our own ordinance. The zoning hearing board can decide amongst themselves or we can just say the last two people appointed can be alternates, or we can change the ordinance. Mrs. Wilson said maybe we should let the zoning board decide for themselves, maybe there is someone that wants to give up their position after x amount of years. Mr. Napoli said to give it to the zoning board, give us your 2 alternates. Mr. Kulick asked who the chairman is. Mr. Chase said Ted Chrusch.

Check Ordinance:Mr. Kulick said it was requested by both the tax collector and borough secretary to have something in place for those whose checks do not clear the bank. We have had bad checks written to the Borough and to the tax collector. Mr. Kulick suggested to put a sign up in the office.

Neighborworks:Neighborworks, who purchased a property on Cemetery St. obtained permits and they are requesting since they are a non-profit that we waive their admin. Fees for the NEIC permits. A motion was made by Mr. Markey and seconded by Mr. Napoli to reimburse Neighborworks Admin fees for \$178.00. All in favor; motion carried.

A motion was made by Mr. Napoli and seconded by Mrs. Dougherty to adjourn the meeting at 9:09PM. All in favor; motion carried.

