

**Jermyn Borough Council
Meeting Minutes
9/20/18**

The Jermyn Borough Council held a council meeting on September 20, 2018 at 7:00pm in Council Chambers of the Jermyn Borough Building, 440 Jefferson Ave, Jermyn PA.

On roll call, the following members were present: Frank Kulick, Kristen Dougherty, Kevin Napoli, Cynthia Stephens, Carl Tomaine. Joanne Wilson joined at 7:04 pm. Also present were Mayor Fuga, Attorney Aquilino, Ray Rood, and Bob Chase. KBA was absent.

Minutes:

A motion was made by K. Napoli to accept the minutes of 8/16/18 with the correction that K. Dougherty was absent for the meeting. Seconded by K. Dougherty. All in favor, motion carried.

A motion was made by K. Napoli to accept the minutes of the 8/29/18 special meeting, seconded by C. Tomaine. All in favor, motion carried.

Open Council Seat:

Two letters of interested were submitted to fill Daniel Markey's unexpired term of council – Jen Schreiner and Cara Frankosky. Mr. Kulick read both letters of interest. F. Kulick called up Mrs. Schreiner, and she was interviewed by council. Mrs. Schreiner stated she lives here and would like to see good things happen. She immediately felt like home when she moved to Jermyn. She serves on the Jermyn Crime Watch. She states that she would see how the rest of her term would go prior to running for another term. C. Tomaine asked what special attributes she would bring to the job. Mrs. Schreiner states that with being a mother, she has almost unlimited patience, but this would be the first time serving on a board. Mrs. Frankosky was not present to be interviewed. F. Kulick read the rules of nominations, and opened the floor for nominations. K. Napoli nominated Jennifer Schreiner, and C. Stephens nominated C. Frankosky. Nominations were closed. Nominee Jennifer Schreiner was voted in by a 4-2 vote of Council. Mayor Fuga swore in Councilwoman Jennifer Schreiner.

Public Comment:

William Langman, 515 Gibson St. approached council about a speed limit sign that he notified the DPW 2 weeks prior that the post was bent. He states it is still not up, and he is concerned about his neighbor with small children. Mayor Fuga advised him that the post was too bent and needed to be replaced, and the sign will be replaced tomorrow (9/21/18).

Katelyn English, Lackawanna County Community Relations, approached council with the following events:

Heroe's Day on 9/22/18 from 11am – 2pm @ PNC Field in Moosic,

Lackawanna County Heritage Fair 5/29/19 – 6/2/19 @ Montage Mountain. There is a new website: www.lackawannacountyfair.com and new email address: countyfair@visitnepa.com.

Tire Recycling Event by the County Office of Environmental Sustainability, 9/26/18-9/28/18 from 8am – 3pm, 9/29/18 from 8am – 11:30am. Cost is \$2/clean tire, \$3/tire with debris, \$5-\$10 tires with rims. www.Recycling.lackawannacounty.org for more details.

Parents A 2nd Time Support Group: Various dates, times, and locations, brought to you by the County Area Agency on Aging. Geared to older adults raising children of a family member.

Course in Community Planning: 10/18, 10/25, 11/1/18 from 6pm – 9pm. Cost is \$20.

Jeff Haungs, Stan Richardson, R&L Carriers. Jeff Haungs presented for R&L Carriers regarding new terminal in Jermyn. He presented a brief history of the company, and their desire to come to Jermyn. The current plan is a \$13.4 MM building with 100 bay doors. He expressed R&L interest in LERTA Tax Abatement, which is what the public hearing prior to the council meeting was called for, as well as interest in the 2.24 acres owned by the borough north of the land on R&L wishes to build. He spoke about a 3 tiered structure – an operations arm, a real estate arm,

and people arm – all owned by the same people, but different entities.

Ray Rood asked if they looked into how the building is going to be supplied with utilities. Mr. Haungs advised not yet, but their goal is to find a good general contractor and then advise that they want local contractors to be hired. Mr. Rood s raised concerns about fire protection, and asked if the building would be sprinkled. Stan Richardson from R&L advised yes, it would be sprinkled, dry system on the dock and wet system in the offices. He stated if the current hydrant in place is privately owned, they would look into the nearest source to tap into the main. They discussed to determine if, how, and where the best place to meter would be. Mr. Rood advised Mr. Richardson that PAWC would have to deal with R&L as well as getting permission from private landowners. Mr. Rood addressed Council and advised once this plan is made, it should be that we have a say as to where the hydrant is placed. Mr. Richardson stated he would like to work with the borough and the fire chief on the hydrant situation. A resident asked how often the trucks would run through town. Mr. Haungs said they wouldn't, unless someone in town had a package to be picked up. Mr. Richardson stated that 70lbs is the minimum they will pick up, but it would be in a small box truck. Mr. Haungs states they have 53' trucks, 28' truck, and a 22' box truck, which would be the type of trucks that go through town.

Treasurer's Report:

Mr. Markey gave the treasurer's report: General Fund – \$26,209.84, Paving Fund – \$398.41, Liquid Fuels Interest – \$69271.69, Refuse Checking – \$100,447.58, Liquid Fuels Checking – \$25.54, Recycling Checking – \$7546.69, DARE Checking – \$28.10, Holiday Lights Checking – \$1348.85, DPW Capital Reserve – \$59,441.73, General Fund Investment – \$1.39, Recycling Investment – \$1.33, Department of Highway Investment – \$43,994.79, Paving Investment – \$11.43. Disbursements \$23,341.30, Payroll 9/21/18 – \$10,991.12, Payroll for 8/10, 8/24, and 9/7 have not yet been entered. Deposits \$40,749.07.

D. Markey added he is still working his way around the accounts, etc. Mr. Garvey came into office to show me accounting software. He states he will come into 9/24 to enter the payroll that is unentered, but D. Markey advised he would like to enter the payroll and have Mr. Garvey watch him. He reported that the monies from the DPW Truck Grant should be received shortly, the funds should be transferred shortly for the pension fund and firefighter's relief fund. D. Markey reported that he doesn't have online banking info, and he will touch base with banks regarding logins.

K. Dougherty motioned to approve the Treasurer's Report and pay the bills, seconded by J. Wilson. All in favor, motion carried.

Housekeeping:

Bill Aquilino stated that D. Markey has accepted position of borough manager, so there are a couple housekeeping items to handle. The first is a resolution naming D. Markey as the liasion between Jermyn Borough and Berkheimer for the purposes of collecting and sharing earned income tax and local services tax information. Resolution was motioned by J. Wilson, seconded by K. Napoli, all in favor, motion carried.

B. Aquilino advised council needs to motion to appoint D. Markey as the interim Right to Know Officer, until a resolution can be drawn up appointing him Right to Know Officer for Jermyn Borough. Motion made by J. Wilson, seconded by K. Dougherty. All in favor, motion carried.

Correspondence:

Christmas in September, St. Michael's Hall in Jermyn on 9/28/18 – 9/30/18

Request for donation to Griffin Pond Animal Shelter

Neighborworks – 9/25/18 between 5:30pm -7pm, open house @ 114 Cemetery St. which was renovated by Neighborworks

F. Kulick instruced D. Markey to include R. Rood, B. Chase, B. Arthur, and KBA on special meeting notices and agendas, as well as R. Bensing regarding public safety. R. Rood asked if

he should also get meeting minutes? F. Kulick stated that is not necessary. B. Aquilino stated the minutes are being recorded & transcribed, so only mistakes would be clerical, but he would not be misquoted.

Police Chief Report:

Mayor Fuga gave the police report for Chief Arthur. There were 3475 incidents YTD. Lakeland Elementary, Mayfield Campus checks are being done, the Jermyn PD participated in the school lockdown drills, schoolbus patrols & checks, church traffic detail, housewatch checks, ATV enforcement. The Steamtown Marathon is Sunday, 10/7/18 with the first runner reaching Jermyn approx. 9am. B. Chase thanked the Jermyn Police and Fire Police for helping with the Fire Convention as well.

Mayor Report:

Mayor Fuga stated that lost dogs are draining police resources, due to having to take dogs to the shelter. He stated it will cost about \$429 to get a kennel to shelter dogs retrieved so police don't have to take dogs to Griffin Pond. C. Stephens asked about crates. T. Fuga stated that dog size could be an issue with crating. J. Schreiner stated that the Jermyn Crime Watch was looking into purchasing a kennel awhile back also. K. Dougherty stated that there is leftover funds from the summer activities program. K. Napoli asked if insurance was a potential issue. C. Tomaine stated it shouldn't be anything to worry about. F. Kulick asked J. Schreiner and T. Fuga to report back by the next meeting with a funding update.

Fire Chief Report: R. Rood reported that the Firefighter's Relief Fund Audit was completed, and everything went well. D. Markey passed a copy of the report around for council to review.

Zoning Officer Report: Bob thanked everyone who helped with the Firefighter's Convention, special thanks to police, fire police, and United Methodist Church of Jermyn. Resident on corner of Franklin & Madison was given 10 or 14 days to apply for zoning permit. B. Aquilino asked if there were issues besides

the permit. B. Chase advised yes, there are setback issues with the shed. The resident had questions that he could not answer at the time without the zoning book, so he advised the resident to apply for a permit and he would work with the resident regarding the issues. B. Chase reported that the no parking signs were removed from the property also. He also met with F. Kulick and K. Napoli regarding the daycare on Madison Ave. Ingress & egress are clearly marked. Prior posts were knocked over, and the new owner was not made aware of issues. The daycare maintenance personnel was notified, and will rectify the situation. K. Napoli asked, for the record, if there was any safety concern. B. Chase reported that he's never noticed any issues, even with the sidewalk on Madison Ave currently being closed, and with a 15mph speed limit, he doesn't believe there are issues with safety, but he will recommend posts that bolt into the ground that will not damage vehicles or the post.

Engineer Report: No report.

Solicitor Report: B. Aquilino presented Resolution 16-18, approving the contract for the Borough Manager. J. Wilson stated no one has seen the contract yet to vote on it. She wants to know what is in the contract regarding time off, etc. B. Aquilino advised that the contract will follow whatever is in the Employee Handbook. J. Wilson stated she would like the \$4,000 stipend separated from the base salary. F. Kulick stated that is included in the contract as a separate stipend. Motion by K. Dougherty, seconded by C. Tomaine to pass the resolution to approve the contract for the Borough Manager. All in favor, motion carried.

B. Aquilino stated he has been asked to work on a contract for the Chief of Police. He stated he was provided with a draft contract, but was not able to review it yet with Borough Council, specifically those in charge of safety. He will try to have something for next meeting.

Code Enforcement Officer Report: B. Aquilino states that some complaints are not being filed through the proper channels; Facebook posts, text messages, are not official complaints in

which we cannot and should not act upon. Anonymous complaints are not legitimate, and should not be acted upon. He reported that many code offenders have come to him and worked out solutions to issues, have requested more time to handle things, etc. If you work with Borough Council and Code Enforcement Officer, we will work together to resolve the issues without any fines, however those who have ignored the citations and haven't corrected violations, who have now had 30-60 days to fix their issues, will be enforced by action with district justice. He noted the tire recycling and that those with tire violations should act on the recycling to resolve their issue.

Borough Manager Report: D. Markey reported that he has been in the office for 4 days. He thanked J. Wilson for running the office in the interim, and the knowledge shared. He reported that Joe Garvey, accountant, and John Maros, IT, have been in the office reviewing certain things. He reported he's looking into shredding service, he is getting 3 quotes, and the borough office and police will share in the shredding service. He reported that bond paperwork is waiting to be signed by F. Kulick. He thanked Borough Council for their faith in him to do the job. He welcomed new council member J. Schreiner.

Rushbrook Creek Update: F. Kulick reported that there was a conference call held with PA DEP, Army Corps of Engineers (ACOE), Jermyn Borough reps on 9/17/18. It began regarding mitigation bank credits, but it was immediately reported that bank credits could change the whole scope of the project, so we decided to forge forward as originally planned. We pushed to come up with firm dates, but didn't get anywhere. ACOE is holdup, but reported that they're getting close. We are still looking at 2022 as potential start date. Jermyn Borough cannot move forward until a permit is issued and we are notified by

PA Dept of General Services. Once the permit is issued, Jermyn Borough can move forward in obtaining easements from property owners, then project will go out to bid. Project will last about 18 months. We conveyed the fears of the people that live along the creek, and F. Kulick stated that people should continue to write to their congressmen and senators. D. Markey reported that some holdups occurred because of miscommunication and lack of follow up and that he requested a quarterly update. R. Rood states state reps have been here for meetings, but federal reps have not, and asked if they have been involved? F. Kulick said we have tried to contact them, but haven't gotten far, and he believes ACOE is their own domain. R. Rood asked if the federal reps have even tried to approach ACOE? He states they are supposed to work for us.

Executive Session: Council entered executive session at 8:14pm regarding a personnel matter, and afterwards for a real estate matter. Council reconvened from executive session at 9:03pm.

Reports of Committees

Bike Racks: J. Wilson reported that she was looking into a 5 bike rack. The need arose from the summer program, when children rode their bikes here and were worried about safety. C.

Tomaine asked about fabricating something out of railings and painting it. K. Napoli advised to contact vo-tech to see if we can have the students fashion something. J. Wilson will contact the tech center.

Flu Shots: Will be conducted in the Legion Room on 10/2/18 and 10/6/18.

100 Block Delaware St: T. Fuga reported that the owners told the company to remove the greenway and pave it, and now the owners are having issues. J. Wilson reported that this is a safety issue, and the Mayor advised that it may be a safety issue, however the homeowner's created the issue themselves, and it wasn't the company, it was the homeowners. The Mayor reported that a curb must be put back in, and it is the homeowner's responsibility, not the borough's. K. Napoli stated that if the greenway belongs to the borough, the property owners should have gotten permission from the borough prior to having it paved. J. Wilson stated Wayco had received permission from someone in the borough. T. Fuga stated he has a problem

with that part of the story, because they were around the entire project, and who from the borough did they receive permission from? He states that it was requested from the homeowner, not the borough.

Davis Ct: J. Wilson advised that Davis Ct has still not been repaired. The Mayor advised that the rainy season has contributed to the issues, and they will be trimming the trees back shortly, and then Davis Ct will be repaired.

600 Block Washington: J. Wilson states that the 600 block of Washington Ave should put their trash out in the rear and not on Washington Ave. She asked the council to look into an ordinance stating that 600 block of Washington should have trash and recycling picked up in the rear. K. Napoli stated that we can't force some people to do something and not others. J. Wilson stated that with an ordinance we can. K. Napoli stated that she stated she wants this to be done in the business section, but she wants the residents to do it also? She states yes, she wants everyone to do it. F. Kulick states if the garbage trucks can get back into the alleys without issue, he thinks it's a good idea. The borough manager will check with County Waste to see if they are able to get through alleyways without issue and report back.

Grants Committee: K. Dougherty reported that we received grant for gym floor.

Public Safety: K. Napoli made a motion to accept resignation of Russo, seconded by K. Dougherty. Mr. Kulick read the resignation aloud. All in favor, motion carried.

Ordinance Committee: C. Stephens had nothing to report

DPW Report: T. Fuga gave the DPW report announcing that we received the crack sealer, and received training. R. Rood advised that the DPW needs to take a look in front of Garfield by A. Whitiak's house. T. Fuga reported we milled there. Mr. Rood states he understands, but it looks like some other pavement is chipping away. T. Fuga advised the DPW would take a look. R. Rood asked about tarring on Bacon St., T. Fuga states that the education the DPW received

Committee Updates:

Ordinance Committee – abolished

Handbook Committee – abolished, solicitor will handle

Finance Committee – Carl Tomaine (Chair), Frank Kulick, Kevin Napoli

Public Safety Committee – Kevin Napoli (Chair), Cindy Stephens, Jen Schreiner

DPW Committee – Dan Markey, Kevin Napoli, Kristen Dougherty

Grants Committee – Kristen Dougherty (Chair), Joanne Wilson, Jen Schreiner

Sesquicentennial Committee – Bruce Smallacombe, Cindy Stephens, Joanne Wilson

Liaisons

Employee – Frank Kulick

Shade Tree – Joanne Wilson

Rec – Kristen Dougherty

Planning – Kevin Napoli

Crime Watch – Jen Schreiner

Other Business: K. Dougherty asked about videoing the systems. T. Fuga stated that the contractor was very backed up due to the bad weather, and he would contract them next week to get a set schedule.

R. Rood asked about updating the phone, cable, internet systems. D. Markey advised he was looking into different packages; Adams, Verizon, Comcast Business, Vonage, etc.

F. Kulick advised that all council members should be using the jermynpa.com emails. D. Markey stated he will email everyone instructions.

Adjournment: With no other business to come before the meeting, K. Napoli motioned to adjourn, seconded by K. Dougherty. All in favor, motion carried. Meeting adjourned at 9:30pm.