

Jermyn Borough

Council Meeting

1/16/20

The Jermyn Borough Council held a council meeting on Thursday, January 16, 2020 at 7:00 pm in Council Chambers of the Jermyn Borough Building, 440 Jefferson Ave, Jermyn PA.

The meeting was called to order by President Frank Kulick with the Pledge of Allegiance.

On roll call, the following members were present: Frank Kulick, Kristen Dougherty, Jennifer Schreiner, Carl Tomaine, Kevin Napoli, Cynthia Stephens, and Robert Hunt. Attorney Aquilino, Mayor Fuga, Isabella Brown, Bob Chase and Stanley Hallowich (7:08pm) were also present. KBA was absent.

Minutes: A motion was made by K. Dougherty to accept the minutes of 1/6/20 as presented. Seconded by C. Stephens. All in favor, motion carried.

Treasurer's Report/Bills Payable: D. Markey presented the treasurer's report as of 1/16/20.

**Jermyn Borough
Balance Sheet**
As of January 16, 2020

		Jan 16, 20
ASSETS		
Current Assets		
Checking/Savings		
2019 Revenue Anticipation Note		228,830.76
DPW Capital Reserve		12,963.44
General Fund - Community		7,070.82
Holiday Lights		3,533.44
Investment - General Fund		1.39
Investment - Liquid Fuels		38,498.18
Investment - Paving Fund		11.79
Investment - Recycling		1.33
Investment - Refuse		2,578.23
Petty Cash		162.01
Recycling - Community		13,878.95
Refuse Checking - FNB		36,297.62
Shade Tree Commission		6,739.25
100050 · FNB General Fund		1,191.67
100052 · Liquid Fuels - FNB		1,957.83
100053 · Refuse - FNB		0.01
100125 · Crime Watch Account		721.75
100800 · Jermyn Recreations Commission		4,425.62
Total Checking/Savings		358,864.09
Accounts Receivable		
11000 · Accounts Receivable		3,121.50
Total Accounts Receivable		3,121.50
Total Current Assets		361,985.59

▼ Liabilities	
▼ Current Liabilities	
▶ Accounts Payable	▶ 33,147.47 ◀
Total Current Liabilities	33,147.47
Total Liabilities	33,147.47

A motion was made by J. Schreiner to accept the treasurer’s report and pay the bills as presented. Seconded by C. Tomaine. All members in favor, motion carried.

Correspondence: None.

Public Comment: Kaitlyn English from Lackawanna County read information about the Winter Golf Clinic, Easter Egg Hunt, Christmas Tree Pickup Schedule, TreeCare Short Course, FEMA Resolve to be Ready, US Census Bureau Job Opportunities.

Chris Rood – 403 Bacon St. – Asking about the sewer issue on Bacon St. He states according to his father’s records, it’s been an issue since 2011. He stated council is backing him into a corner and the ball is in council’s court. K. Napoli stated that the sewer is on a maintenance plan. Mr. Rood stated he isn’t talking about a maintenance plan, but a solution. D. Markey stated that the borough applied for a PA Small Water & Sewer Grant to have Bacon St. sewer repaired. The application was submitted last month, and we are still waiting to hear back from the state. Mr. Rood stated it needs to be fixed, and if he doesn’t see a contract bid by this summer, he’s going alternate routes. He stated that’s not a threat, but he’s doing what he needs to do to protect himself and his family. He stated if the pipe is cracked and leaking into the soil, that’s a problem. F. Kulick stated it’s not been determined that the pipe is cracked. T. Fuga stated the pipe sags, but it’s not cracked. F. Kulick stated there’s a long history here with this issue. Mr. Rood stated yes, there is a long history with the issue, and it’s been eight years, and he doesn’t want to have to wait any longer. F. Kulick stated as he understands it, the issue was going to be fixed, but then there was an issue where the contractor wasn’t allowed on the property. Mr. Rood stated that’s incorrect; there was an easement granted by his father to go through the back of their driveway and tie into the baseball field. T. Fuga stated that was stopped by Ray Rood. The contractors came to do it, and they were not allowed on the job site. Mr. Rood stated he doesn’t believe that. T. Fuga stated he was there, and that’s what happened. Mr. Rood stated there was probably no easement signed, and if there was, he wants to see a copy of the documents. He stated the borough is not going up his driveway. T. Fuga stated there is no intention to. Mr. Rood states he wants it fixed, and he wants to see it fixed this year. F. Kulick stated that we have a system in place to monitor it, and we applied for the grant. That’s the plan right now. T. Fuga stated we want it fixed as well. Mr. Rood stated it’s nice seeing the nice things in town that are obtained by grants, but it’s frustrating when he has a problem that’s not being fixed. He thanked council for allowing him to speak, and would like to be kept in the loop regarding the grant and work being done.

Joanne Wilson – 156 S Washington Ave. - Mrs. Wilson explained that the Jermyn 150 Committee is doing an ad book, and she gave council members copies of the ad book flyers. There is a \$10 per patron fee or \$16 for a business card sized ad. She stated she would love if everyone in town would put in a patron ad. Full page ads are \$150, and inside front and back covers are \$300 each. Mrs. Wilson also asked for permission to use the new borough flag design for stationary, etc. F. Kulick advised they may.

Reports:

Police Report: Chief Arthur reported there were 5590 incidents in 2019, an average of 15 incidents per day. 4396 in 2018, so the calls have increased. The basketball floor was vandalized by a minor while under construction. The court case was this past week, and he was found guilty, and ordered to pay restitution. The Chief has received recertification for the police computers and confidential information. He attended a Chief's meeting. Vehicle enforcement has increased on the side streets due to people blowing through stop signs. The police are spending time on Rushbrook Street enforcing the Jake Brake ordinance. Zack Langenhop, our newest officer, is now certified and currently working. Church detail continues, as well as ongoing house watch checks. F. Kulick asked Chief Arthur if Mayfield, Archbald, Scott Twp calls were proportionately increased like Jermyn's were? Chief Arthur stated he does not have that information.

Fire Report: Chief Hallowich reported there were 116 fire calls for the Jermyn Fire Department. He is unsure of how many were actually in the borough, but said is approximately 52. The remainder of the calls were mutual aid to other municipalities, with majority of the calls being in Carbondale city, but he believes that will go back down with their ladder back in service.

Zoning: Bob Chase stated he has nothing at this time.

Tax Collector: D. Markey reported that the former tax collector requested help from him with the DCED reports. There are some minor discrepancies, and he is working through those. He reported that he reconciled the 2019 tax duplicate and the delinquents reportable to the county with her already. If anyone is interested in the tax collector position, letters of interest and resumes are due by January 24th. F. Kulick asked if there were any applicants thus far? D. Markey stated no.

Mayor's Report: Mayor Fuga advised Zach Langenhop is now on board, and picked up most of the empty shifts. He's already up to speed, and has been working in other towns. The Mayor states he belongs to the Crystal Fire Company, and believes Officer Langenhop will be a very good fit.

Solicitor/Code Enforcement Officer: W. Aquilino stated a bench warrant has been issued for Alphanso Wright's arrest by Judge Turlip for failure to pay the last judgement against him. We are going to file additional action against him to recover inspection fees and for failure to obtain rental permits. 618-620 Washington Ave was inspected to obtain the 2020 rental permit. A conditional rental permit will be issued pending minor repairs that were of concern to the code officer and fire chief. 306-308 Gibson St. we will seek district justice action for failure to respond to requests from the borough. We will be continuing to go down the list of rental properties and ensure the properties have a valid permit. We will be going randomly off the list, and also on a complaint basis, regarding rental inspections.

Engineer: Absent.

Junior Council Person: Isabella Brown states she's received a few complaints about Shields Ct. She understands the money may not be there to fix it, but she stated she would bring it up. D. Markey stated that UGI will be running a line from either Bacon or Gibson St to the house in the alleyway. According to our ordinance, any pave cut over 100 feet must be paved curb to curb, but they are not sure where they want to come in from yet.

Cat Discussion: F. Kulick stated that our Chief advised we don't have any ordinance with teeth regarding feral cats or cats running about. We researched many different ordinances regarding feral cats, ownership, feeding them, etc. Last night, the Council President, Borough Manager, Mayor, Chief, and Public Safety Chair met with Jennifer Critchley from In Pursuit of Grace. We also have Joanne from St. Cats & Dogs here as well. The borough is trying to accommodate as best as possible, while doing it legally. F. Kulick invited them to speak.

Ms. Critchley stated that the current ordinances in place are for owned pets, not feral. She explained how trap, neuter, release works, and stated she is willing to train anyone willing to help trap. She also wanted to dispel any myths on feeding bans. She said they don't work. F. Kulick asked about cats that are on people's property making a mess? Ms. Critchley stated by getting them fixed, the behaviors will be quelled. There are also natural deterrents that will help keep them off your property. A member of the audience asked about the cats going to the bathroom on her property? Ms. Critchley stated that may stop, or it may not stop. R. Chased asked about the cost. She advised it's \$35/cat, and that's to fix, vaccinate, and ear tip. F. Kulick stated we will need volunteers and money. F. Kulick asked if there is any success in finding feeders and converting them to caretakers and having them help with the TNR program? She stated yes, once they speak with neighbors and feeders, the attitude usually changes. A caretaker from Blakely was in the audience and gave a testimony on how In Pursuit of Grace helped her when she was overwhelmed with a huge cat population. She was up to 30 or 40 and now she's down to about 6 cats. She explained how the program worked for her. Mr. Rood asked who has to pay for the \$35 per cat? Is that at the expense of the borough? Ms. Critchley stated usually the funds can come through grants. Another resident asked if any of the cats are adoptable? She stated yes, sometimes the kittens will be fixed, vaccinated, and adopted out. Some seem adoptable, but they're not; they're just kind to their caretakers. She gave additional information about when to trap, and cautioned council on being careful in which rescues are used, because some will just come in to take the kittens and not take care of the problem. Joanne from St. Cats & Dogs addressed council. She stated one of the biggest problems is people throwing cats out. This is not the cats' fault. It's a vicious cycle. They get pregnant when they're only months old, and they can reproduce 3 to 4 times per year. She stated we should not consider not feeding them. They can survive for weeks without food, and grow weary and diseased, which will spread disease around the population. They host the EPAA, who does the neutering of the cats at \$35 per cat. F. Kulick thanked everyone for coming, and stated the council has some further discussion to do regarding this.

F. Kulick announced a five minute recess.

Borough Manager: D. Markey explained our pension benefits administrators met with us regarding the study on the financial implications on lowering the police pension retirement years of service from 25 years to 20 years, or 15 years. If lowering retirement years of service to 20 years, the estimated minimum municipal obligation (MMO) would be \$11,400. According to Mockenhaupt, they are confident that state aid would cover the increased MMO. If lowering retirement years of service to 15 years, the estimated MMO would be \$27,700. There is little chance this will be covered by state aid. K. Dougherty asked us how we would find out? W. Aquilino stated we are entitled to state aid payment for 2 units, and due to the funded status currently, our benefits administrator was confident that state aid would cover the increase of the \$11,400 MMO. F. Kulick asked when this would take effect? D. Markey stated it would take effect for 2021 MMO. Also, the administrator suggested we can make the change for our current employees only. R. Hunt asked why we're considering lowering it from 25 to 20? F. Kulick explained that with the two employees we currently have, it's a small likelihood that they would be able to draw the pension. F. Kulick asked Chief Arthur his age. Chief Arthur replied 46. R. Hunt stated Chief Arthur has a pension coming, and he is worried about the other guy. F. Kulick asked D. Markey how old the other officer is. He is 50. He would currently have to work until 75 to draw a pension and if lowered to 20 years of service, he would have to work until 70. J. Schreiner stated if we lower to 20 years of service, Chief Arthur would be 59 when he could draw the pension. K. Dougherty states she is fine with it, as long as the state aid kicks in. W. Aquilino stated how the motion should be stated. A motion was made by J. Schreiner to change the police pension plan to 55 years of age and 20 years of service, for current full time officers only. Seconded by K. Napoli. On a vote of 6-1 in favor, the motion carries.

Senator Blake's Legislative Breakfast will be held on Friday, February 14th at 8:30 am.

Senator Blake is hosting a Property Tax and Rent Rebate Program for Seniors. This will be held in the Jermyn Borough building on Monday, February 3rd from 9-11 am.

D. Markey stated he has been notified by the Lackawanna County Elections Office that voting will now be taking place at the Crystal Fire Company, pending election board approval. Once approved, the elections office will notify all voters of the change in venue.

We are working on gathering borough IT data, as we may have a volunteer to help us setup an inhouse network and IT solutions.

D. Markey stated he is currently working on about a dozen year end/year beginning reports for state, county, etc.

D. Markey explained that the minor that was found guilty of vandalism in the gym is able to be banned from borough property, including Callahan Park, according to Judge Turlip, but she would like a motion of council. F. Kulick asked how old the minor is? Chief Arthur stated 17. F. Kulick asked how long the ban would be? D. Markey states he believes it could be up to a lifetime ban. F. Kulick asked about the damages? D. Markey stated it was about \$155 to repair, however if it was a week or two earlier, before the floor was cured, damage could be in the tens of thousands. F. Kulick asked if this minor has caused trouble before? Chief Arthur stated yes. K. Dougherty stated she thinks a lifetime ban is a little extreme. C. Tomaine asked what happens if he needs borough services other than police? W. Aquilino stated the reason the banning needs to be official is because there is a difference between civil & criminal trespass. If council bans him, and he shows up, it is criminal trespass. You can't give him gray area. K. Dougherty asked if it can be exclusive to the gym & park? T. Fuga stated that would be the way to go, and set an age limit. C. Tomaine asked about a 10 year ban? A motion was made by C. Tomaine to ban the minor from the gym and park for five years from 1/16/20. Seconded by K. Napoli. All members in favor, motion carried.

Planning Commission: K. Napoli and B. Kleha had nothing to report.

Public Safety: K. Napoli had nothing at this time.

Recreations Commission: C. Stephens reported that we are still searching into camera options at the park.

Grants Committee: K. Dougherty stated she will be researching cat grant opportunities, and the Woodlands Project should be getting underway shortly. J. Schreiner stated she will help get a grants calendar together. She would like to call a grants committee meeting for the second week in February.

MS4 Committee: K. Dougherty explained she would like to have an MS4 committee meeting for the second week in February.

Shade Tree Commission: R. Hunt has nothing at this time. F. Kulick asked if he has made contact with Shade Tree Commission? He stated he spoke with Joanne Wilson.

Finance: C. Tomaine reported that he doesn't have much at the moment, besides the pension issue that was just discussed.

DPW: J. Schreiner reported we have started to collect Christmas Trees as needed.

Garbage Ordinance: F. Kulick asked D. Markey if the refuse ordinance was advertised? D. Markey stated yes, on 1/2/20. F. Kulick stated the change to the ordinance is the removal of the exoneration of garbage fees. C.

Tomaine stated he didn't see the exoneration in the new ordinance. W. Aquilino explained that the new ordinance removing the exoneration language in the new ordinance will supersede any previous ordinances. D. Markey stated he believes that the exoneration was from ordinances from long ago when the borough used to collect the garbage, but now that it is contracted out, the borough is charged for the amount of properties in town, whether occupied or vacant. F. Kulick asked for a motion to pass ordinance 2-2020. A motion was made by K. Dougherty to pass ordinance 2-2020. Seconded by J. Schreiner. All members in favor, motion carried.

Cat Discussion Continued: F. Kulick wanted to bring up a possibility of registering cats. He stated if an owned cat is not neutered, they can go outside and find a feral cat and be creating more cats. K. Dougherty stated she has been reading up on this topic a lot this week. Other towns are doing a registration, and fixed cats are lower fee than non-fixed cats. F. Kulick stated we need to discuss some more and come up with volunteers to assist with the trap neuter release program. A discussion ensued regarding the cat problem, possible causes, solutions, etc.

New Business: F. Kulick asked about the ethics statement. D. Markey stated everyone has to fill one out to be kept on file in the borough office, and due by May 1st.

Adjournment: With no other business to come before the meeting, a motion was made by K. Napoli to adjourn, seconded by K. Dougherty. All in favor, motion passed. The meeting adjourned at 8:43 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Daniel Markey". The signature is written in dark ink and is positioned above the printed name and title.

Daniel Markey

Borough Manager