

Jermyn Borough

Council Minutes

April 6, 2017

The Jermyn Borough Council held a council meeting on April 6, 2017 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn, PA in the Council Chambers.

On roll call present were: Messrs. Frank Kulick, Robert Parks, John Mark, Dan Markey, Kevin Napoli, Joseph Smith and JoAnne Wilson. Absent were: Dylan Reeves and Evan Samuelsen Also present were Mayor Bruce Smallacombe, Tony Grizzanti; KBA, Fire Chief Ray Rood, Zoning Officer Bob Chase, Atty. Christopher Harrison.

Mr. Kulick asked everyone to remain standing after the pledge of allegiance for a moment of silence. He stated this past week the community lost 3 members all in their own way contributed to the well-being of Jermyn over the years; Mr. Pidgeon, Mrs. Bennett and Mr. Tony Fuga Sr.

MINUTES:A motion was made by Mr. Napoli to accept the March 3, 2017 minutes, seconded by Mr. Markey; all in favor, motion carried.

Treasurer's Report:General Fund \$91,044.46; Liquid Fuels \$9,155.27; Refuse \$88,606.29; DPW Capital Reserve \$12,721.06. Disbursements are from February 17, 2017 to April 6, 2017 \$86,216.04; Deposits from February 17, 2017 to April 6, 2017 \$208,892.14. A motion was made by Mr. Markey and seconded by Mrs. Wilson to accept the treasurer's report and disbursements as presented. All in favor; motion carried.

Mayor Report:Mary Marrara was honored on being UNICO of the year and sent us a Thank You letter for attending her celebration and is very grateful that Jermyn was represented so well at the event. Mayor Smallacombe said she is a very hard worker and always has been for the Borough. Mayor Smallacombe said a few weeks ago Shirley Zaborowski passed away; she was a very big help to the historical society and former Chief Zaborowski's wife. Mayor Smallacombe attended the County's unveiling of the Jermyn pictures, the pictures from all the communities at the County. Our Borough news that comes from the Association of Borough's has our Junior Councilman Dylan Reeve's picture in it when he was being honored in December for the Junior Council award. Mayor asked Ray Rood if he can let the owners of the old Muldoon's property to board up the window at the property. He said kids may be able to get in if it isn't boarded up.

The Historical Society will have a temporary home at the Methodist Church. The Variety Show will be May 21st at 2:00 p.m. Tickets are \$10.

Mayor thanked the Windsor for donating 10% of proceeds for the Jermyn Sports.

The Events Committee will be getting ready for Spring planting and putting their Flower pots out. The Crime Watch 5k run is April 29th. Mayor said he had to fill out the census report for the census coming up.

We did not receive any money from the Federal Government from the snow storm, he said this is a disappointment because there was a lot of damage in our area but the rest of the state didn't have any. The state did not meet the threshold of 18.2 million that they needed to meet to get the reimbursement.

Mayor said he was out the other night and there was a lady with a flat tire, Officer Calzola stopped and helped her change her tire. She was very happy that a police officer came out and helped. Mayor said everything in the police dept. is doing well, the officers are happy with the hours they are getting. The Chief is doing a good job, our crime is still down.

There is an IRS phone scam going around, people are getting calls saying it is the IRS and asking for a check.

Mayor thanked everyone for coming out and helping with the snow storm. It is harder on small communities because we do not have the resources the big communities have.

Mrs. Wilson said the last time we had the Variety show was in 2013, the council at that time had a full page ad and if we would like to do the full page ad naming all the council members and wishing everyone a good show it would be \$11 per person for a full page ad.

Public Safety: Mr. Napoli said there is not an official head to the recreation commission right now. Mr. Napoli made a motion to allow the police to use the baseball field for the Easter Egg Hunt on April 15th at 10:00 a.m. seconded by Mr. Markey. Mr. Mark said as long as it is not the same day as the Knights of Columbus. All in favor; motion carried. Mr. Napoli said there will be at least 5,000 eggs this year.

Mr. Napoli made a motion to accept the resignation of part time officer Dane Sorensen, seconded by Mr. Markey. All in favor; motion carried. Mr. Napoli said he received a position in Greenfield Township. Mr. Mark said he was in Jessup this past week and spoke with the chief there. He commended our officers and said they are doing a fine job.

Zoning: Mr. Chase received a few zoning applications. He is working on one now with a sign. There will be a duplex house being built on the East side. There is usually a lot of activity in the Spring.

Engineer: Mr. Grizzanti has a set of plans for what was discussed at last meeting for 720 Lincoln Ave. He said it will be in the range of \$3,000-\$3,500. Mr. Kulick asked if we

were going to talk to Mayfield about the costs. Mr. Grizzanti said he told Mayfield that Jermyn was going to talk to Sid Kavulich about the possibility of having the money to do the connection. Mr. Napoli asked about the water coming down from the road. They will do a little more of a paved lip at the driveway so the water does not come down and run over the driveway onto the properties. Mr. Kulick said we did not have any plans or anything to approach Sid Kavulich to discuss the sharing of costs. Mr. Grizzanti has a number for Robert Hunt for the property owner who owns the property across the street. Mr. Grizzanti said the pipe is completely intact both ways. Mr. Smith asked Mr. Grizzanti if the plans will help alleviate the situation. He said yes, it is going to stop that whistle pipe from clogging and spilling over the road onto the property. Our thought of also adding the catch basin on top and running it down the hill will also help. The water on top is coming from Mayfield. Mr. Mark said we would have to approach Mayfield. Mayor Smallacombe said we would have to approach the land owner because it would be running down his property. Mr. Napoli said to get the quotes and we can go to Mayfield with them. Mr. Grizzanti suggested getting 3 quotes. Mr. Smith said he thinks we should accept quotes as presented by Tony and we take a look at them at the next meeting and see what we can do after that. A motion was made by Mr. Smith to get 3 quotes based on KBA's plans and have the quotes back for the next meeting on April 20, 2017, seconded by Mrs. Wilson. All in favor; motion carried. Tony will leave copies of the plans in the Borough office.

There was a hole that opened up on Garfield Ave; Jack Brennan's property. Tony called up OSM to look at it; he did not hear anything back on this yet.

Mr. Kulick asked if there is anything new on the MS4. Mr. Grizzanti said Jermyn is not on the panic list. The city of Carbondale is since the meeting. Mr. Kulick, Mr. Markey and Mr. Napoli attended the MS4 presentation. Mr. Kulick said it is a big financial issue waiting to happen. Mr. Markey said he read in the PSAB newsletter that they are looking at the possibility of making it legal for Municipalities to be able to assess a fee to residents for MS4 Storm Water Management.

Fire Chief:Mr. Rood said the house next to Battenberg Funeral home is flooded in the basement. He was able to see at least 4 ft. of water. He called the water co. to shut the water main off and PPL to pull the meter. The number on the building he called is a company that does maintenance or overlooks the property. The house is owned by a bank. He was concerned because he couldn't get in the house to pump it out. He asked if there is any way to get a number for someone who is in charge of the house. He said there was no way to get a hold of anyone. Mr. Kulick asked what number is on there. Mr. Rood said it is a Sheriff's sale number and the mortgage company. Mr. Kulick said the bank hired someone to manage the property. Mr. Kulick said at some point it would become an emergency situation. Mayor Smallcombe said if someone else's property is at risk we will do something. Mr. Rood said the river levels are ok.

Tax Collector:There was 4 checks, 2 for the garbage and 2 for the real estate taxes.

Solicitor: There is a resolution regarding the Covered Recycling Act. It is a resolution that would be submitted to the Commonwealth Legislatures asking to amend the act due to some problems that a lot of people are having across the state. The manufacturers are supposed to cover costs of recycling and buy back of their materials for their electronics but they only have to go up to a certain quota and then after that the recycling centers get full and start upping their prices. This causes people to start discarding their electronics in the woods or in the street. A motion was made by Mr. Markey and seconded by Mr. Napoli to pass the resolution amending the covered device recycling act. All in favor; motion carried. Mr. Mark asked if this should be passed down to other Boroughs and they can join in on this. Mr. Markey said we will get a copy of it and send it to the Lackawanna Recycling Coordinator and she will send it to everyone.

We received a Right to Know request and we are asking for an extension. It is regarding a collective bargaining agreement with the police.

Atty. Harrison talked to the attorney representing the buyer of the DPW garage, his idea is to split the cost of the realty transfer tax on the sale and his client will not seek any future contribution for the siren in regards to the electricity. The estimate would be about \$400-\$700 to split the cost. Mr. Markey said the only concern is if he does not pay the electric bill the siren would be shut off. Atty. Harrison said it would be in the agreement of sale and also to access of the building. A motion was made by Mr. Napoli and seconded by Mr. Parks to split the realty transfer tax in lieu of any further compensation by the Borough for electrical services. All in favor; motion carried.

Atty. Harrison said they are working on having 3 simple ordinances to replace the International Property Maintenance Code. Mr. Kulick attended a seminar by the PSAB and said for a town like us we do not need the International Property Maintenance Code. We need something concise and simple for whoever the code officer is doesn't have to look through a big book. The 3 ordinances will have the fines listed. These will take the place of the International Property Maintenance Code, making it very simple and easy to follow.

DPW: Mr. Markey said the state did not meet the 18.2 million dollars for the storm. We were only able to submit our worst 48 hours. Our worst 48 hours that we submitted for would have been for the Friday after the storm to Sunday after the storm. Our biggest expense was for storm removal from Virbitsky's. We put in for \$7,802.39 for reimbursement from the Federal Government, which includes the snow removal expense. What we actually spent includes DPW workers time that were already working anyway and truck hours, fuel were almost \$19,000. Mr. Markey said our biggest added expense was the snow removal. Mr. Markey thanked all of the DPW that helped during the storm; the full time and part time. They did a wonderful job; they were working around the clock. Mr. Markey said during the storm we were able to test our new Rapid Cast system. He said it worked very well for us, we had a couple technology glitches during the storm but it worked out.

PPL is starting the street light conversion to LED lighting. Mayor Smallcombe said the lights make a big difference. Mr. Markey said we can convert the baseball field lights to LED with no upfront cost. He said there is no upfront cost and we will save \$14.58 per month. A motion was made by Mr. Markey to contact PPL and have them convert the lights at the field over to LED, seconded by Mr. Napoli. All in favor; motion carried.

The recycling truck has been sold and picked up. We deposited the money into the DPW Capital Reserve Account. Archbald Borough purchased the truck.

The DPW committee went out and looked at potential sites for a new DPW garage. The 3 sites in question, the first 2; Mr. Parks found out they are owned by Bardane's. Mr. Parks went to verify and spoke to them there. Mr. Parks said they would look into it and told them how much we need. They would entertain the idea and prefer we took the track side of the property. The third site is 22,000 sq. ft. on Powder Mill Ln. which is by the Heritage Trail and access to the sewer plant. Mr. Markey said he asked the solicitor to look at what we own there. Mr. Markey said we are going to do a cost analysis on what it would cost to purchase the property from Bardane's and to see what it would cost to run utilities on the property we currently own off of Powder Mill Ln. Mayor Smallacombe said to make sure it is not in a flood zone. Mr. Smith asked about the property across from the Pallet Company. Mr. Markey said they have everything rented out there. Mr. Chase said it will be rented for a few more months.

Mr. Markey said we are going to need to put a new drain pipe across the road right by the Crystal Fire Co. the corner of Bacon and Madison. He said it is failing right now. Mr. Markey said we are going to have to dig up the road to put new pipe in.

Mr. Markey said that UGI has been getting pave cut permits from us and they have not been paying the invoices. UGI was sent two copies of the invoice. Mr. Smith asked if we just passed the new ordinance on this for the pave cut fees. Mr. Markey said yes.

Mr. Kulick asked Mr. Markey what the situation is with the lawn tractors. Mr. Markey said we are down to one and that is the one we bought last year. Mr. Markey said he has some costs on different used ones and also some costs on some new ones. Mr. Markey said if we go with a John Deere dealer we would get COSTARS pricing and we can also finance so we do not have to incur a huge cost all at once.

PUBLIC SAFETY:Mr. Napoli wants to remind everyone about the Easter Egg Hunt on April 15th.

FINANCE:Mr. Smith said he will be in touch with Mrs. Wilson and Mr. Markey early next week to set up a meeting for the Finance Committee. They will review the first quarter for this year and will try to make some adjustments where they can. Mr. Smith said they will report back to council for the first meeting in May.

RECREATION/SHADE TREE:Mrs. Wilson said she has not heard from the recreation committee in a while and since the head of the commission resigned that may be the

reason why she has not heard from them. Mr. Napoli said he believes this happened within the last week. Mr. Markey said he does not think anyone ever received a letter of resignation. Mr. Smith suggested that Mrs. Wilson should contact the recreation commission to set up a meeting to see where they are at and try to get a chair person for the commission.

Clean up month is coming up and the town wide yard sale advertising will be going up. Mrs. Wilson said all the advertising will be going up after Easter. They will be going to the schools for Arbor Day.

Mrs. Wilson said the cans that the Events Committee put out are not being picked up by the garbage company. The one in front of Sterling Pharmacy is not being picked up. Mrs. Wilson said Sterling has it in under their awning so it does not get filled up with water and it may be the reason why it is getting ignored. Mr. Napoli said may be because its back by the store the garbage company may think it is the stores and they do not want to touch it.

Mrs. Wilson said the day that we had all the snow we were unable to fax. The new phone and fax system is all on the computer. Mrs. Wilson suggested we have two ways to fax. She said if there is an emergency and we have to hard copy fax we should be able to. If the police fax is hard copied not e-fax would there be any objections to that? Mayor Smallacombe said it is definitely a good idea to have an alternate fax. A motion was made by Mrs. Wilson and seconded by Mr. Mark to have a dedicated fax line in the police department. All in favor; motion carried.

GYM DOORS: Mrs. Wilson said we received partial payment on one set of double doors last year. The second set of double doors we did not get an estimate on to send to them and it has been over a year. Mrs. Wilson said she contacted Bear Prints and Mr. Gasper more than once. We received one quote from Art Tech Glass. The quote is for \$5,740.00 Mrs. Wilson said half of that we received from last year and the other half, since we are not getting our heating and air conditioning in here we can use that half until we square away with the insurance company. Mr. Smith said our last meeting with Joe Garvey our auditor; the Borough is not in great financial position. It seems that we keep spending; Mr. Smith said it is not against anyone's proposal. He said our budget was blown by a legitimate expense in the snow removal department. If we keep spending like this, we are going to be in trouble and he does not believe we should approve this or anything until the Finance Committee meets. Mr. Smith's recommendation to council is that we wait until the finance committee meets and that we not spend money anymore. Mrs. Wilson said she agrees but if there is a break in in the building and there is damage, the insurance company will not pay anything until the doors are fixed. Mrs. Wilson said this year we budgeted \$5,000 for a heat/AC pump for this room and it was downed last meeting and we are not getting it now. Mr. Smith said that is not true, we are getting air conditioners in this room and the cost is going to be less. Mr. Markey said we had \$4,800 budgeted and the cost is going to be about \$1,640. Mrs. Wilson said basically we have the money for those doors. Mr. Markey asked if the money is in the general fund or is it sitting in a separate account. It is in the

general fund, we received the money last July. Mr. Smith said we have a problem and our number one concern is to take care of the residents. Mr. Hunt sat here tonight and we have a problem with his property. Mr. Smith said in his opinion that has to be taken care of number one, it was not budgeted. Mr. Mark said this problem should have been solved when the Rosmelia's had the problem. Mr. Parks said the problem continues because the stuff coming down from the hill isn't going into the drain properly and going over the driveway. The water was not supposed to go over the driveway but the previous homeowner's didn't want a blacktop berm in the driveway because they said they said it would cause damage to their vehicles going over the driveway. Mr. Kulick asked what risk are we taking by not fixing the doors. Mr. Smith asked on the \$5,000 did we receive half already. Mrs. Wilson said we submitted a claim for one door. We did not submit for two doors. Mr. Chase gave a price for one door and later on looked and saw the other door was damaged. No one knew the other door was damaged until Mr. Chase looked at it. We received about \$2,300 from the insurance company. Mr. Smith said it doesn't make sense, we got money from the insurance company and nothing was done.

Mr. Smith asked where are we going to get the \$7,000 to pay for the snow removal. Mrs. Wilson said these doors need to be fixed before there is an emergency. Mr. Napoli said didn't we make \$7,000 on the new rental fee. Mr. Kulick asked Mr. Chase about the specifications on the quote if we have to have these. Mr. Chase responded yes because they are fire doors.

Mrs. Wilson made a motion to have the gym doors replaced and contact Art Tech Glass Co. Mrs. Wilson said it has been a long time coming it has almost been a whole year. No motion carried lack of second motion. Mr. Smith said we will come back with a recommendation.

Parking Lot: Mrs. Wilson said we have the grant money to pave the parking lot. It is for \$50,000. She is not sure of the time limit it has to be used by. Mr. Kulick said he knows we have some time on it, at least until 2018 to do something. Mr. Markey asked why we can't put it out for bid. Mrs. Wilson said it will be well more than \$50,000. Mr. Smith said there is money set aside for the parking lot; we do not know what it is going to cost. KBA gave us an estimate of \$106,000. Mr. Parks said to put it out for bid and we can always deny the bids. Mrs. Wilson made a motion to put the parking lot paving project out for bid as per specs by KBA, seconded by Mr. Parks. 6 years, 1 no. Motion carried.

Mr. Mark had a meeting with Representative Sid Kavulich in regards to the DPW truck. He will fund the truck through the gaming money. It is for \$71,070. We will have to fill out the paperwork. Mr. Mark said with this flood control project we are going to be responsible for maintenance he said to make sure we put in for a truck or equipment that we are going to need to clean that out. We should be able to get that through the money Senator Blake has on the side.

Mr. Kulick said he sent Senator Blake a message about the money that was given to other municipalities. He asked if we did something wrong and what we need to do so we

do not get bypassed again. Senator Blake mentioned we got the roof put on a few years ago.

Other:

The Lackawanna Heritage Valley Trail sent a contribution request for the maintenance of the trail. Mr. Parks said we did not agree to do the maintenance. Mr. Markey said we got the same bill last year and we never paid for it.

April 19th Lackawanna County of Economic Development at 4:00 p.m. located at the 6th floor conference room at the Lackawanna County Administration Building there will be a meeting in regards to grants.

Mr. Kulick said we have sent out the certified letters to the rental property violators. One of them responded and the others have not picked up their certified mail. The solicitor will look into this.

There are some properties that are not paying the correct amount of garbage fees. They have several units and are only paying 1 garbage fee. We are sending out letters along with invoices for the correct amount of garbage fees they should be paying.

Public Comment:

Basil Kleha said the new LED lights brighten the town a lot better and it is a big improvement.

Mr. Smith asked Mr. Rood how the river is. Mr. Rood said it is good the water was not even half way up.

A motion was made by Mr. Napoli and seconded by Mr. Markey to adjourn the meeting at 9:10 p.m. All in favor; motion carried.