

## Jermyn Borough

### Council Minutes

December 7, 2017

The Jermyn Borough Council held a council meeting on December 7, 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: Frank Kulick, Robert Parks, Dan Markey, Kevin Napoli and JoAnne Wilson. Also present were Mayor Smallacombe, Atty. Brenden Fitzgerald, Ray Rood and Bob Chase. Absent were: John Mark, Joseph Smith, KBA and Evan Samuelson.

Mr. Kulick requested a moment of silence for all of our Veterans that defended us on December 7, 1941 attack on Pearl Harbor.

**MINUTES:**A motion was made by Mr. Napoli and seconded by Mrs. Wilson to accept the November 16, 2017; all in favor, motion carried.

**CRIME WATCH PRESENTATION:**Crime Watch members presented the police with a vest that they purchased for them. Chief Arthur said it is a vest carrier with rifles plates within it, it is very heavy. It helps them protect the public if there is an incident involving a rifle or high caliber weapon. The regular vests they wear every day that will not stop a rifle bullet. The vest was very expensive; it was several hundred dollars for the vest. They would use that if there is a rifle situation or barricade a gunman or suicidal person with a weapon, it would better protect them. Chief Arthur said it is a real asset to the department and its helps them help the community to protect them and provide better service. Officer Andrew Russo tried on the vest. He said it fits over the regular vests nicely. Council thanked the Crime Watch.

**BACKHOE PRESENTATION –STEPHENSEN EQUIPMENT:**JCB 3CX Backhoe – Stacie from Stephensen equipment presented council with information regarding a backhoe. It is compact size. It is 35% smaller than the standard size backhoe, for a township our size it is perfect. It is easy to haul and get down the street and it still has all the features of a full size backhoe. 4 wheel steer, skid steer plate attachment. Side shift is a huge feature; you can work right next to a building or vehicle. Mr. Parks asked how much weight can the machine lift. 3,364 capacity, being that it has the skid steer coupler on it, it will be a little lighter so probably around 2,400 – 2,600 lbs. Tony Fuga said for what we do and where we work, the smaller machine the better. Presently now our 110 is kind of perfect machine for us but it's a little underrated HP and lift capacity, where this one fits the bill all around and still in a smaller package. He said they work in a lot of tight areas, alleyways etc. 4 wheel steering is a plus even just working out here in the parking lot it makes a big difference. There are a lot of options on it that stands out even what John Deere has to offer. The John Deere which is a nice machine but only does

two things; digs and loads. That machine you can put attachments on it which for us is a plus because we only have one machine so we kind of need a machine that will do the work of many. We do not have the luxury of having a skid steer. Mr. Markey asked if the leases go for 4 or 5 years. Stacie said yes. Mr. Markey said if we trade in, does that come off of the sticker price or can we use it for the first year lease. Stacie said however we chose. Tony Fuga said between the John Deere and the JCB, doing more research on this machine, you are getting more with this than you are with the John Deere. It comes standard with pilot controls, where the John Deere it is a \$6,000 add on. Mr. Markey said with the JCB we are starting out at a lower price than the John Deere. Tony Fuga said it is more of a machine that will fit our needs. We do not need a huge machine but we need a machine with a lifting capacity. Mr. Kulick asked if the warranty is comparable. Mr. Markey said the warranty is better; it is 5 yr. 5,000 hr. rather than John Deere 5 year 1,500 hr. Mr. Kulick asked where the machines are made. They are made in Savannah, Georgia and parts are readily available at our shop in Pittston. Mayor asked about the price on a trade in. \$15,000 for trade in. Mr. Markey asked if most municipalities are leasing. Stacie said yes, every 5 years you get a new machine. Mayor asked what the standard catch basin weighs, will it be able to lift a catch basin and put it in the ground. Tony Fuga said it should be able to do that. Stacie said the machine is designed for municipalities and cemeteries.

**Fire Co Insurance:**Mr. Kulick said we received the letters from the fire companies regarding the insurance.

**New Doors:**Mrs. Wilson said for the 2 doors it would be \$9,000. It is for the front door and the side door of the Borough building. Art Tech gave her a quote and it's under \$10,000. \$4,500 for the main and \$4,500 for the side entrance. Mrs. Wilson made a motion for the purchase of the doors so we can have them installed before the winter weather, the money will come from the DPW capital reserve. Bob Chase asked if they are insulated doors. Mrs. Wilson said it doesn't say but she can double check. Mr. Markey asked if it was the only estimate. Mr. Wilson said this was taken back when we had the gym doors done. It was the same company that did the gym doors. Mr. Markey said it's important to know if they will be insulated. Lou Demarco suggested another price. Bob Chase said it's very expensive. Mrs. Wilson said we can table it and suggested for some other names to call, this was the only company that came forward when we called others for quotes for the gym doors. Lou Demarco suggested First Class Glass. Bob Chase suggested Mesko glass. Mr. Napoli agrees we need the doors. Lou Demarco asked what's wrong with our current doors. Mayor said the locks don't work, they are worn out. They are the only second set of doors that were put on this building since 1936.

**MS4 Ordinance:**Atty. Brenden Fitzgerald presented to council the MS4 Ordinance for Storm water Management. It is for the health safety and welfare of the municipality within its water shed and managing storm water runoff. The ordinance will be advertised and it will be voted on at the next meeting. Mr. Markey said it is a state mandate that just for municipalities. Mr. Markey made a motion to allow the solicitor to advertise the MS4 ordinance, seconded by Mr. Napoli. All in favor, motion carried.

**Public Comment:** *Charlie Gardecki* – Fire Police Captain– said they are having a fire police class January 20 and 21<sup>st</sup> at the Crystal Fire Co. It is an advanced basic class. It will be \$350 to put the class on plus \$25 per student for books. You have to have a workbook to enter the class. Mr. Gardecki asked if we run over our budget if council will help us out with anyway or at least the books just for the Jermyn residents. Mr. Markey asked how many people are signed up. Right now there are 8. There is room for 16 people. Mr. Napoli asked if this was the class that they want council members to take it to. Mr. Gardecki said the council members, the mayor, and public safety to come because a lot changes in the law in which the Borough's and cities are responsible for, it's a lot of legalities and it is all new. At least someone from council to come. It is a 2 day class and you get certificates after. Mr. Gardecki said we are in a budget and it is going to cost us a lot of money to put it on, we do have another member going to be sworn in, probably in January and to outfit her and radios, it is going to go well over the budget. Mr. Gardecki asked council to help them out this one time. Mr. Kulick said if we agree to pay for the books, the maximum would be \$400. The maximum class is 16 people. Mr. Rood said we do have a couple people outside of Jermyn that is taking the class but they are paying their own fee for the class, we do not have to cover them. Anybody that is out of Jermyn Borough pays their own fair share. Mr. Gardecki said we are only paying for Jermyn people.

Mr. Rood said it is an asset to the Borough that if we need fire police protection, we can call them out and now we are protecting the Borough too because they have their certifications. Mrs. Wilson asked what the \$350 is for. It is for the instructor's fee. The budget for fire police for 2018 is \$750. Mr. Napoli said what you have now and for the beginning of next year should cover you easily. You should have the \$350 for the instructors and if you are only paying for Jermyn people to have books, you should have plenty. Mr. Markey said we could put a separate line item in there to cover the class, the 16 books and the fee, it would be \$750. The fire police, if Mr. Gardecki needs more supplies then he will still have his annual budget he can work with and it's not all gone on January 21. Mr. Rood said especially Jermyn Borough people, if he is going to get books for them and they do not show they have to pay for their own books, why should we have add costs to the Borough and fire police budget. Mrs. Wilson said the \$25 should be a personal issue, she said if she was taking a course she would expect to pay for the materials. Mr. Markey said it's a course to serve the community, it would deter people from coming out. Mr. Rood said the books should be covered. Mrs. Wilson asked if the other Borough's pay the portion of the \$350. Mr. Markey said no, they would pay if they had to bring a 2<sup>nd</sup> instructor in, if there are over 16 people. Mayor said if we get 16 people from Jermyn we are paying for them. Bob Chase said if someone from Jermyn Borough wants to take that class, shouldn't they join the fire police. Mr. Rood said anybody that wants to participate as being part of the Jermyn Fire Police should join either one of the Fire Co's. Mr. Gardecki said firefighters should take the class, because if they are at a fire directing traffic they are experienced fire police, directing traffic control.

*Basil Kleha 600 Washington Ave.* – Mr. Kleha congratulated Mr. Parks and Mayor Smallacombe for their time put in as Mayor and Council, they have done a great job.

Mayor was here 16 years and Mr. Parks was here 12 years. He is looking forward for 2017 with the new seats coming in. He congratulated Mr. Tony Fuga the incoming Mayor.

On November 10, his wife and daughter was in an accident on Washington Ave. Mr. Kleha said they have never been in an accident and he wants to thank Chief Arthur and Jermyn police Dept. on the great police report that was done on that accident. The people that have to see it, they received it and they said it was a very great job well done on the write up. Mr. Kleha thanked the police dept.

Mr. Kleha said in the mail today he received the permit papers for the rental and he liked that they have to show their insurance now on the house.

Mr. Kleha said he was here a few years ago at a meeting and do we have an ordinance if in the course of 12 months, the landlord, if you get called to the same apartment in 3 times in a year that we could put a red tag on that apartment for 6 months. Mr. Kulick said it is in the ordinance. Mr. Kulick said it is in the ordinance regarding rental properties. Mr. Kleha said he sees a lot, the police get called, there are a lot of part time police officers, if we can keep an eye on that and if we can red tag these guys, he thinks that would be a good solution to try and get rid of some of these people out of this town. We have a lot of bad people. Mr. Kulick said according to the ordinance you can actually shut them down, you can force them to shut the apartment down. Mr. Kleha said it would be better for everyone. Chief Arthur said we used that on 511 Washington to get people evicted. It was something he wasn't aware of until president Kulick reviewed the ordinance. We are going to use it more. Mr. Kleha said 2018, this is our town not their town and each and every one of you take a lot of abuse, everybody. We are going to start stepping up to the plate and get it to the police and mark things down and clean up a lot of stuff. Mr. Kulick said along those lines, we were talking amongst ourselves and we have done some good things in the 2 years that this council has been in but personally his biggest disappoint is that we have not done enough to clean up the town. It is not easy to do it. Mr. Kulick said for his perspective on council next year whether he is sitting here or in the other seats, that is one of his priorities because it is enough already. Lou Demarco said he couldn't believe walking down Main St. some of the properties and the people that are in them.

Mr. Kulick said the ordinance is for the people living there, if you are making a police call on the same people 3 times over the course of 6 months, according the ordinance we can force the shutdown of that apartment. It is directed at the people living there causing the problems but you direct the landlord to shut it down. Mr. Kleha said it is a good town and we are going to move forward on it. He said he doesn't come to Crime Watch but if there are trouble or issues he gets them addressed one way or another.

Mrs. Wilson said the 600 block of Washington the garbage cans out in front, she would love to see the 600 block mandated that all garbage is to be picked up in the rear, in that alley. Mr. Markey said he doesn't think we can do that but what we can do is get rid of section 8 housing. Mrs. Wilson said they are still going to leave their cans on the front

porch. Lou Demarco said the problem with that is some have 10 garbage cans and if they are put in the back to be picked up they block the parking. Mr. Markey said some apartments have a lot of cans. Lou Demarco asked if we can eliminate section 8 in the Borough. Council said no. Mr. Napoli said no it is way above us. Mayor said we talked about that 20 years ago. Mrs. Wilson said the majority of the people that have alleys in Johnson Ct. put their garbage in the alley and that is just as narrow as Davis Ct. There are a lot of people, there is room enough for parking in the back for those apartments that we are talking about because they are long and if they park properly they can do it. If the apartment house next to the post office can have the garbage cans in the back plus parking than they can do it to.

Mr. Napoli said he doesn't think we can tell people where to put their garbage. Mrs. Wilson said she would love to see Main St. cleaned up.

Mr. Kleha said the wreathes this year look better than they ever did. Mr. Tony Fuga said because they are all working. Mrs. Wilson said the DPW fixed all the bulbs. Mr. Kleha said they all stay on. Mrs. Wilson said the DPW did an excellent job.

Mrs. Wilson said Shade Tree had a big problem that would have cost a lot of money and DPW came to our rescue and she thanks them from the Shade Tree Commission.

**Part- Time Police:**A motion was made by Mr. Napoli and seconded by Mr. Markey to hire part time patrolman Ed Pereschinsky at regular part time rate, no training needed. All in favor; motion carried. Mr. Napoli said he is a police officer in Mayfield and he runs with Jermyn all the time and there is no need for a training period.

A motion was made by Mr. Napoli and seconded by Mr. Markey to hire part time patrolman Brandon Walters at the training rate. All in favor; motion carried.

Mr. Napoli said they will be accepting applications for the full time officer for 2018, they will be accepting them up until December 15, 2017 with interviews to be the following week and a recommendation to come to council for the next meeting. Mr. Markey asked if they should be a Borough employee already. Mr. Napoli said no. Mr. Markey said we had that stipulation last time we were only accepting current Borough officers for the full time position. Mr. Kulick asked where are we going to post it, we need to advertise if it is open to everybody. If it is internally then we just post it internally. Mr. Napoli said we can do it internally then. Mr. Kulick said whatever way is the right way. Chief Arthur said it's an appointed position so we can hire within the department without advertising from an outside source, it would be the best thing to do because we know the quality of our guys. We can pull from existing guys that are currently working and serving the community, it's the best option. Mr. Markey said we can always amend it and advertise it, if no one comes forward by December 15. Mr. Markey said he just wanted clarification.

**Budget:** Mr. Kulick said our Finance Chairman cannot be here tonight so he will report on a few things for the budget.

The finance committee met quite a few times preparing this budget, we will not go over it line by line but it will be available for inspection for anyone who wants to look at it. Mr. Kulick said we are going to retain a full time second shift patrolman, we think that is important. We are going to hire a code enforcement officer, it will be part time, and we have money in the budget for that. We put money in the budget for someone to run a 10 week program inside the gymnasium; we are going to hire probably a college age student, handy in crafts. Etc. \$10/hr. 4 hours a day, 5 days a week for 10 weeks and open the gym up to kids that wants to come in to play ball. We budgeted some money to buy some supplies for crafts. Mr. Kulick said we budgeted for a chipper for the DPW that money will come from the Garbage Fee that is collected; the doors are in the budget for next year. Expenses \$913,676.47 – we made some adjustments to that, certain things can be paid by liquid fuels money, the chipper from the garbage fee, and doors from the DPW capital reserve account. The adjustments bring it down to \$806,076. Revenues est. \$770,799. Leaves us with a shortfall of \$35,000. We are estimating we will have \$100,000 carried over from 2017. We will take from that to balance the budget and leave us a surplus hopefully next year of around \$65,000. There will be no tax increase. We are also going to lower the garbage fee by \$20. It is a fee not a tax, we need to have a little bit of cushion because some people do not pay. It is available for inspection for 10 days and next meeting we will vote to pass.

A motion was made by Mrs. Wilson and seconded by Mr. Markey to advertise the proposed 2018 budget and make it available to the public for inspection at the Borough office. Mr. Markey said he does not think we can post it online until it actually passes but it will be available for inspection. All in favor; motion carried.

Mr. Markey in the absence of Mr. Smith, the finance committee – Mrs. Wilson, Mr. Smith and Mr. Kulick helped out a lot and the Borough Secretary. Mr. Markey said all of us were trying to be as fiscal responsible as possible while continuing to move forward and show progress in the town. We changed over the Main St. Lights to LED that cut our yearly budget just for the Main St. Lights in half. Changing our street lights over to LED and in the process finding out that we were paying for lights in Jessup for a long time. We did budget for an activities director so that one of the main purposes so we can leave the gym open in the summer time during the day. It is the people's gym and hopefully with someone there, the vandalism and attempted vandalism and thefts will decline. Also, the kids that are doing that type of stuff that do not have anything to do they might be over here playing basketball and things like that. We didn't really cut anything. We do still have a plan for a DPW garage; it has come to his attention that a new garage hasn't been voted on yet by council. He will probably call for that vote or make the motion once we reconvene in January with the new council members seated. We did our homework and got a lot of different estimates and we think we have a good idea or around what we want and we have everything over to the USDA. The engineer and USDA are handling things right now. We are also looking at a new truck and we are getting a new bigger chipper and be able to sell this chipper and bring some income in

to the DPW capital reserve. With that bigger chipper we are going to be able to handle a lot more chipper for the Borough too, which increases our recycling tonnage which increases our reimbursement and that helps. We have a lot of different pluses, it took a good two years to work out all the bugs because honestly we did not have a good budget when we first got seated which is why we voted to re-open it. We changed course drastically, instead of one big pot of money and everybody takes something out, there is different line items for everything and if you are going over your budget in one area, you have to justify that and if there isn't money available to go over and then you have to find it from somewhere else and take it out of a different budget. We are trying to be as financially responsible. This year will be the last year for the police vehicle payments, maybe next year we can look into another police vehicle lease. This will be our 2<sup>nd</sup> year on the paving loan and we have 3 years left and maybe we can look at some other roads after that. Mr. Markey said we are moving forward.

Lou Demarco asked how we did this year in 2017, you guys created your own budget this year. How did we do as planned and forecasted as actual spent. Mr. Markey said we still have December to go but we are right now at the end of November \$52,000 to the good. So depending on what we spend in December and what we bring in we think we are going to be almost dead on. Lou Demarco asked if we got any money back from the snow storm. Mr. Markey said no that was a loss.

**Other:** Mr. Rood asked how we made out with the Rushbrook tree. Mr. Kulick said DEP was contacted and it is the property owner's responsibility. Bob Chase said he will advise them to clean it up. Mr. Kulick said when whoever took the stone out of the creek and it was reported to DEP, DEP just said they will contact them and tell them not to do it again. Mr. Rood suggested to put on the website to remind people to clean their chimneys before they light them and also read the manufacturer safety on space heaters.

Mr. Kulick said Mr. Constantine's issue with the poles or lack of up by the daycare. Mr. Chase said he didn't look into all of the complaints that he had forwarded. He did notice instead of parking in his driveway or in front of his house, that he parks up across the street in front of the day care and taunts them relentlessly. Mr. Chase said for somebody he spent months with arguing over the fact that the rules and ordinances do not apply to him he thinks everybody else should apply to the rules. He has countless conversations with him about that. Mr. Chase said as far as the number of businesses in that building is allowed, he cannot see how we can tell somebody who owns a commercial building that he can't have more than one business in it or limit it.

**Junior Council:** Mrs. Wilson said we do not have a second student for junior council. The principle said no one has come forward and Mrs. Wilson suggested we possibly look into maybe the sophomore class.

**DCED:** Michael Barbetti's Accounting firm sent a letter to do the DCED audit. A motion was made by Mr. Markey and seconded by Mrs. Wilson to retain Michael Barbetti's LLC certified public accountants to do the 2017 DCED audit. All in favor; motion carried.

A motion was made by Mr. Napoli and seconded by Mr. Markey to adjourn the meeting at 8:48 pm. All in favor; motion carried.