

## **Council Minutes – August 2, 2012**

Jermyn Borough Council met on Thursday, August 2, 2012 at 7:00 p.m. On roll call the following members were present: W.Estile, J.Alan, J.Smith and K. Hosie. Mayor Smallacombe was in attendance. Attorney Nicholls arrived at 8:00. J.Mark, A.J.Fuga and B.Parks were absent.

**MAYOR**– Mayor Smallacombe thanked Mr. Cooney for the 1889 map of Jermyn and asked permission to hang it in the hallway. K.Hosie asked that a letter of thanks be sent to Mr. Cooney.

**PUBLIC INPUT** – Mr. Ray Rood, 403 Bacon Street, informed Council that the Public Works Department checked the manhole on Bacon and Lincoln and it was blocked. K.Hosie said council will talk to Attorney Nicholls to see what the next step is.

**PUBLIC WORKS** –A motion was made by J.Allan seconded by W.Estile to have lines and two stop bars painted on Bonnie Drive and Maple Street by Axtell Inc. at a cost of \$760.00. All members were in favor.

**PUBLIC WORKS** – J.Smith stated that the Carite property, 708-710 Madison Avenue, is a disgrace. Can the DPW department clean the property up? K.Hosie had a concern about liability, we will return to the issue when Attorney Nicholls arrives.

**PUBLIC INPUT**– A.Wilson, Washington Avenue addressed council concerning the paving of the 400 block of Jefferson Avenue, K.Hosie responded that the borough does not have the funds. Mr. Wilson also said that the JSTC had an audit on Wednesday with the Forestry Department and DCNR and all went well. He also thanked volunteers from Rapid Pallet for the wonderful job they did cleaning up the ramp to the Casey Highway.

**RIVERVIEW LANE PROPERTY** – A motion was made by J.Smith seconded by W.Estile to retain Shamrock Realtors (Laurie Hughes) to sell the property on Riverview Lane. All members were in favor.

J.Smith spoke to council concerning the issue of having abutting homeowners notified when a zoning variance is applied for. Mr. Smith will speak to Attorney Nicholls about the issue.

**BRIDGE STREET** – K.Hosie read the prices submitted by KBA for the Bridge Street project.

1. 48" concrete pipe – \$80,000.00 20% contingency.
2. Replacing culvert top with 9' wide by 8' long by 10" thick precast concrete slab planks -\$106,000.00.

K.Hosie asked if our public works department can do the job? Mayor Smallacombe said they would need bigger equipment. J.Smith asked if certain items could be put out to bid separately.

The sewer problem at R.Rood , 403 Bacon Street was re-addressed. Mr Rood explained that the blockage is at Bacon and Lincoln. Solicitor Nicholls said he has no problem with DPW cleaning out the manhole until the matter is resolved.

403 Bacon Street – A motion was made by J.Smith , seconded by J.Allan giving the DPW permission to clean out the manhole at Bacon and Lincoln and have attorney Nicholls initiate legal action against Gerald Raymond. All members were in favor.

Solicitor Nicholls said the borough is not to enter the Carite property, 708-710 Madison Avenue, to cut grass, but they can cut the borough's right-of-way. It was asked if the owners can be cited. Attorney Nicholls said there are no funds in the estate. Mayor Smallacombe said he was interested in the property. Attorney Nicholls said he will inform them.

Acting Chief Arthur said he will contact C.Snyder concerning the cutting of the grass at Jermyn Manor , 315-317 Rushbrook Street.

Concerning the Bridge Street construction Attorney Nicholls will call Attorney Barattini with Community Development, to see if the borough can obtain a loan for the repair of the street.

K.Hosie asked if some of the minor work on Bridge Street could be done by Rockbottom. Attorney Nicholls said you cannot split up the bid.

Attorney Nicholls said he will have the handbook for the next meeting.

**ACT 13**– Attorney Nicholls said that the zoning issue in Act 13 has been declared unconstitutional.

By the Supreme Court of the Commonwealth. The borough will not act on amending the zoning ordinance at this time.

**JOIST ORDINANCE** – Attorney Nicholls said he has reviewed the ordinance and made some changes. He asked Fire Chief Rood how can this cover the whole town. He recommended new construction and remodeling. It was decided it would be for the last 10 years and R.Rood would get that information.

Attorney Nicholls said he has not received an answer from PAWC concerning the ownership on creek properties.

**DRIVEWAY ORDINANCE** – Attorney Nicholls said the driveway ordinance is complete. He needed to have KBA review it.

**J.S. ESGRO RESIGNATION** – Attorney Nicholls said he has received J. S. Esgros' resignation.

Council went into executive session for personnel reasons. Council reconvened from executive session.

A motion was made to adjourn by W.Estile, seconded by J.Allan. All members were in favor.