

Council Minutes – July 14 2011

The Jermyn Borough Council meeting was held on Thursday evening, July 14, 2011 at 7:00 p.m. in Council Chambers of the Community Center, Jermyn, PA. On roll call: present were Messrs J. Smith, W. Shermanski, M. Collins, A. J. Fuga, J. Mark and Mrs. K. Hosie. Absent was Mr. R. Parks. Also present was Solicitor A. Nicholls. President Mark acknowledged the presence of Judge Robert A. Mazzoni and Lackawanna County Commissioner Bruce Smallacombe. President Mark noted there will be a deviation from the agenda to handle pertinent Council business at hand.

COUNCIL ORGANIZATION:

President Mark stated that Council had received a letter of resignation from Bruce Smallacombe, it states that with deep regrets he is resigning his position as Mayor, dated June 28th at 3:30 p.m. President Mark asks for a motion to accept said resignation. Mr. Smith moved, seconded by Mrs. Hosie, to accept Mayor Bruce Smallacombe's resignation. All present voted in favor. Motion carried.

Solicitor Nicholls stated the next order of business was to appoint someone to the Mayor's position. He presented a letter from the Jermyn Republican Committee, dated July 11th, recommending the nomination of Mr. John Mark to fill the Mayor vacancy. Mrs. Hosie moved, seconded by Mr. Fuga, to accept the nomination of John Mark as Mayor. All present voted in favor. Motion carried appointing Mr. John Mark as Mayor of Jermyn. Solicitor Nicholls stated, Mayor Mark's term, as mayor, will not fulfill the full term of former Mayor Smallacombe, but will end the first Monday in January, 2012.

Solicitor Nicholls presented a letter, dated July 14th, from John Mark tendering his resignation as council member. Mr. Smith moved, seconded by Mrs. Hosie, to accept Mr. Mark's resignation. All present voted in favor. Motion carried.

Solicitor Nicholls called for nominations for Council President, due to Mr. Mark's resignation. Mr. Smith moved, seconded by Mr. Fuga, to appoint Mrs. Katie Hosie as President. There being no further nominations; all present voted in favor. Motion carried, electing Mrs. Katie Hosie as Council President.

President Hosie noted that the Jermyn Republican Committee by letter, dated July 11th, has nominated James P. Allan to fill the vacancy of John Mark's council position. Mr. Fuga moved, seconded by Mr. Collins, to accept the nomination of James P. Allan as council member to fill the vacancy. All present voted in favor. Motion carried appointing James P. Allan to council membership. Solicitor Nicholls stated, this council seat term will end at the end of December, 2011.

Solicitor Nicholls called for the swearing-in of Jermyn's new mayor, Mr. John Mark by Judge Robert Mazzoni. Judge Mazzoni performed the official oath for the office of Jermyn Mayor. Congratulations and best wishes were offered to Mayor Mark.

President Hosie noted, Mr. Robert Parks is not present, due to work obligations, but has voiced his desire to be appointed Vice-President. Please keep this in mind. Mr. Smith moved, seconded by Mr. Fuga, to nominate Mr. Robert Parks Vice President. There being no further nominations; all present voted in favor. Motion carried.

MINUTES:

President Hosie called for regular Council business. Minutes of the June 9, 2011 are to be approved, if acceptable. Motion made by Mr. Shermanski, seconded by Mr. Smith, to accept the minutes as presented. All present voted in favor. Motion carried.

FINANCIAL REPORT:

Mr. Smith reported that as of July 14, 2011, the beginning balance of \$360,770.64, expenses of \$45,141.34, leaving a balance on hand of \$351,571.23. Mr. Collins moved, seconded by Mr. Fuga, to accept the Treasurer Report as read. All present voted in favor. Motion carried.

REPORTS FROM ELECTED OFFICERS:

Mayor:

Mayor Mark extended a thank you to former Mayor Smallacombe for his work as Mayor for the past 10 years and wished him the best of luck as County Commissioner. He reported on the upcoming free Concert to be held on July 24th from 6 to 8 p.m.,

sponsored by the Jermyn Events Committee and Lackawanna County Commissioners with music by the Continentals.

Solicitor:

Solicitor Nicholls has a few items for council.

A) He would like a motion to give notice to BVNA on their contract. Their contract will expire January 1, 2012. If we do not give them 90 days notice, it (contract) automatically renews itself. Therefore, we should send a letter to BVNA stating Council would like to renegotiate the contract. This should be done now, so we do not miss the deadline. Mr. Shermanski moved, seconded by Mr. Fuga, to put BVNA on notice by letter as stated by Solicitor.

B) Pass a Resolution in which we are adopting new regulations for pensions. The resolution must be acted upon by the next audit. Solicitor Nicholls read the resolution (on file for review). Resolution outlines how the services are chosen for the audit of the pension plans in order to comply with Act 44; and must supply the Auditor General with written procedures before the next scheduled audit. Mr. Shermanski moved, seconded by Mr. Smith, to adopt the resolution as read. All present voted in favor. Motion carried.

Fire Chief:

Mr. Ray Rood, Fire Chief, had several items to be presented.

A) New service has been completed at the fire station.

B) Silent System – While they are working on the service, we would like to do some work on the system. They would like to upgrade the panel box in that area. We can get quotes if necessary. President Hosie instructed Mr. Rood to look into the matter and return with some quotes for the job to be completed.

C) He pointed out the liability and safety factor concerning the hydrant at the Housing Authority Project. Mr. Smith pointed out a letter from our Solicitor was sent concerning this matter absolving Jermyn from any liability. Mr. Rood indicated at least 3 letters have been sent to them concerning this safety problem. Mr. Collins asked how long should it

take to replace a hydrant? He noted the borough can repair it in a day or 2; the water company can install a hydrant within 48 hours. Mr. Rood noted, we are waiting over 1 year for the Housing Authority to replace the hydrant. We would like it replaced within a week if possible. It would cost \$4,000 to \$5,000.00 to replace the hydrant. If it were the Borough's hydrant it would have been replaced. It is safety issue.

PUBLIC INPUT:

Geri Flynn – Mrs. Flynn noted the Neighborhood Crime Watch National Night Out is scheduled for Wednesday, August 3, 2011, at the Crystal Fire Company's grounds. It will start with Children's games at 2 pm, parade at 5 pm, with DJ, food, and games. She is asking permission to put up a banner and if the council would grant a donation for the Night Out. Mr. Fuga moved, seconded by Mr. Collins, to make a donation to the National Night Out in the amount of \$500.00. All present voted in favor. Motion carried.

Art Wilson – Mr. Wilson noted he is chairperson of the new committee, Roads to the Future. He will be scheduling a meeting with KBA, as soon as, they return from vacation. The committee needs answers to specific questions, so they can make proper recommendations. He thanked the borough employees for doing a great job on piped areas at cross-walks, etc. A meeting will be called in the near future for the committee.

Andy Whitiak – Mr. Whitiak announced that the Rolling Thunder is having a ride, approximately 800 bikes, through Jermyn on July 17th around 1 p.m. It is a salute to Veterans and proceeds will benefit Veterans and the POW/MIA issue. He would like to notify council and the police department, so that traffic control won't be a problem.

2) The drains are bad on Garfield and Raymond Drive where I live (Garfield Avenue). We have complained before, but the conditions are no better. After a heavy rain, it dumps rock, dirt and pools water, and in the winter you have ice conditions. Attorney Nicholls stated, he will be meeting with Tony Grazzanti of KBA and go over a punch list before we even consider taking it over. This area may not comply. They wanted us to take it over, but we have refused. Mr. Rood added, the hydrant hasn't been done either. President Hosie noted the Attorneys and engineers will be sitting down and discussing this matter to agree on a resolution to the situation. 3) Also, at Johnson Court there is a

tree on the left and it blocks the line of sight when exiting. It needs to be trimmed. President Hosie will look into the matter.

Mary Ann of Washington Avenue – There is a drainage/water problem coming from Rock Bottom Company's property. Council was to contact Archbald and solve the problem. Archbald Council President stated that he has had no contact with you. President Hosie stated she had spoken to Mr. Joe Simon's. President Hosie stated, she was informed that the water wasn't coming from Rock Bottom, but Zelensky's property. He was going to look into it. The damage is being done in Jermyn (Washington Avenue) the drain in front of us and across the road needs to be cleaned; it floods that side of the road. Mr. Rood noted that Rock Bottom is working with KBA on site plan. Attorney Nicholls will place it on the list when he meets with KBA.

Tom Usher – Mr. Usher is representing the United Methodist Church, concerning the handicapped parking in front of the church and traffic control officer for Sunday services at 9:15 and 10:15 am. We would like to have an officer direct traffic. He stated last Sunday a vehicle went around the officer directing traffic and didn't pay any attention to him at all. This is very serious; we could have had a bad accident. They will discuss the situation with Chief Zellers.

Bruce Smallacombe – He stated he would like to thank everyone and the council for supporting him during his 10 years as mayor. He is attending all borough and township meetings in Lackawanna County as Commissioner to let everyone know he is concerned about their town. He told Mrs. Flynn to write a letter to the County and ask for the tram for the parade; and told Council he is working on getting the asphalt zipper for the borough; and he will discuss at the next County meeting the hydrant that needs replacement at the Housing Authority project; and will speak with PennDOT about the traffic problem at the UMC, since it is a State road. Commissioner Smallacombe stated, he has an open door policy at the County offices, so if he can be of any help, please let him know.

Tom Usher – He asked when are we getting the streets paved? Mayor Mark & President Hosie stated, it was delayed because of the rain-they will be done this year.

Ray Rood – He stated they are in need of a radio. Mr. Rood indicated, he checked with the police chief and there is an extra radio that was taken from one of the old police cars. Mr. Fuga moved, seconded by Mr. Collins, to grant permission to use the extra radio. All present voted in favor. Motion carried.

Bob Chase, Zoning Officer – He reported in the first block of Hudson Street, he almost got hit Sunday afternoon by a speeding car. Cars are speeding 40/45 miles an hour and the speed limit is 15 mph. There is a steady stream of ATV's who ignore the stop signs. When they finish paving the road, it is going to be a drag strip. He is asking that speed bumps be installed. The council will ask Police Chief Zellers to step up the police watch. Hit them in the pocketbook was a suggestion..issue tickets.

Mayor Mark – Walter Avery of the Jermyn Historical Society wants to let everyone know that the Jermyn family will be in town. They will be at Longworth's Restaurant at 12 noon on Sunday. Approximately 11 members of John Jermyn's family will be here to visit.

REPORTS FROM THE STANDING COMMITTEES:

FINANCE:

Mr. Smith asked for a motion to approve the monthly expenses of \$6,012.81. Mr. Fuga moved, seconded by Mr. Shermanski, to pay the monthly expenses. All present voted in favor. Motion carried.

PUBLIC WORKS: No report.

PUBLIC SAFETY:

Mr. Fuga has nothing at this time.

RECREATION:

Mr. Collins has nothing at this time.

ROADS COMMITTEE:

Mr. Smith added to Mr. Wilson's report, stating Art Wilson graciously accepted the chairmanship of the committee. We have 2 new members, Bob Jones and Randy Parry. The committee has 5 members with 3 seated council members, a total of 8. There was a lot of discussion at the last meeting. When the committee is finished, Council will be presented with a nice package of recommendations about the paving of roads and their maintenance.

NEW BUSINESS:

EMST Tax Collector – President Hosie stated beginning in 2012 Berkheimer Tax Collector Agency will be collecting taxes. They wanted to know if we wanted them to collect any of our other taxes. Ms. Joan Christian is willing to collect the \$52.00 EMST tax. Solicitor Nicholls will write a resolution/motion on that item for action by Council.

UNFINISHED BUSINESS:

Crosswalk on Washington Avenue – that item has been discussed.

ANY OTHER ITEM(S):

Mr. Smith has one item. He would like to thank Bruce Smallacombe, stating with his short time on council, Bruce was always a gentleman, and his knowledge of the town of Jermyn is unbelievable, and for his leadership. He would also like to say, it has been wonderful working with Bruce. The council and audience gave a round of applause.

President Hosie called any other items, if not a motion to adjourn was in order. Mr. Shermanski moved, seconded by Mr. Fuga, to adjourn. All present voted in favor. Motion carried. Meeting adjourned at 7:35 p.m.

Respectfully submitted,
JoAnne Wilson, Acting Secretary