

## UNOFFICIAL UNTIL APRIL 14, 2016

Jermyn Borough Council met on Thursday, March 10, 2016 at 7:00. On roll call the following members were present: J.Mark, K.Napoli, D.Markey and J.Smith. Attorney Nichols and Mayor Smallacombe were in attendance. J.Wilson, B.Parks and F.Kulick were absent.

**MINUTES**– A motion was made by J.Mark, seconded by D.Markey to accept the minutes of February 11, 2016 as presented. All members were in favor.

**FINANCE** – J.Smith gave the financial report:

Beginning Balance	–	\$ 162,234.02
Deposits	–	\$ 36,126.80
Expenses	–	\$ 54,960.04
Ending Balance	–	\$ 143,400.78

A motion was made by K.Napoli, seconded by J.Mark to accept the financial report as presented. All members were in favor.

At this time Mr. Larry West from Senator Blakes office addressed Council and the public concerning the Rushbrook Creek Flood Project. Mr.West said that he has met with council three or four times and all are working on the project. He gave a timetable of events, in 2002 the state authorized 3.6 million dollars for the project, 2003 the creek flooded, in 2006 under Act 83 the state authorized another million with a total of 4.6 million dollars, in 2009 DEP and DGS started working on project, in 2012 Mr. Blakes office started working with George Kelly and Ralph Pappas with Lackawanna County to obtain funds for the borough's part of the project, easements, moving utilities, etc. Mr. West explained that the project has to be done thoroughly, that property owners rights are protected, it is a daunting task. The borough's share is \$390,000.00, in September 2013, the County made an application with Marcellus ShaleS under Act `13 ,the borough was declined, because borough's were not eligible over one million dollars. Senator Blake went to the Commonwealth Financing Authority asking them to change the guidelines and the process took a year. In 2014 the borough the was approved for a grant of \$385,000.00 for the Rushbrook Creek Project. Attorney Nichols reported that the borough cannot start the process of getting easements until Attorney Bertolleti, in Harrisburg says that everything is in place.

Mr. West said the project is not simple there are bridges involved. DEP has designed and developed the project and are waiting on a mitigation issue downstream and are waiting on the Army Corp of Engineers. Someone asked if there is a time table for completion? Mr. West said a guess would be a couple of years. Mr. DeMarco asked how long will it be before the project can start? Borough Engineer Dennis Kutch said the borough cannot start on the easements until all descriptions and plats are completed. Than we can go to the homes affected, show them the information. . Most easements will be temporary. Mr. Frank Constatine asked what Happens if no one is paying taxes? Attorney Nichols said there are one or two, it will be a condemnation action, owners

dead ,it would be advertised in the paper. Mr. Constatine asked why hasn't it been done? Attorney Nichols said we cannot until Attorney Bertolleti gives permission. Mr. West said it is a daunting task and has to be accurate.

Borough Engineer Dennis Kutch said the mitigation issue at the Lackawanna River could add additional easements, that we do not know of yet. Mr. Markey asked if any project monies will be in jeopardy due to time restrictions? Mr. Kutch said the deadline is June 30,2017. Mr. Smith asked if we could get an extension? Mr. West said yes. Mr. Markey commended the Fire Chief and the Police for checking on the creek during heavy rains and if trees should come down, can the borough go in and clean it up? Mr. West said he cannot speak for DEP but they frown on doing work in the creek, would probably need permits. Mr. Mark said it did happen , we got permits and emergency funds. Mr. Mark asked about the design as the borough wanted an a line channel and compromised with a blockwall and natural stream. Mr. Mark asked if they were further along with the compromise? Mr. Kutch said the concept on the design and methodology has been approved, it is the mitigation issue with the river that they are looking at.

Mr. Smith said it is frustrating for council and residents, he said himself and former Councilman Estile went to see Senator Blake, to assist the borough in obtaining funds. And members of council met with Senator Blake and county representatives to obtain funding . Mr. West said it is a five million dollar project and runs through the heart of the community and they will continue to work hard on it.

**MAYOR** – Mayor Smallacombe said the Historical Society had a viewing of the 1970 Centennial, there will be a meeting for the planning of the 150<sup>th</sup> Anniversary next Sunday at 7:00 p.m., everyone is welcome. The Concert in the Park will be held on July 24 , they are trying to get a new band.

**FIRE CHIEF** – Chief Rood said Joyce Electric should be able to take the siren down next week and take it to see if it can be repaired. He said if council is thinking about selling the old crystal, he called Century Sirens for a price on a new siren, they said \$10,790.00 for the siren and \$2,500.00 for Joyce Electric to install it. If the siren was to be put on a pole the cost would be \$17,051.00, a single phase, with no starter would be \$15,838.00. Mr. Mark said that building cannot be sold it was donated and has to go back to the owners. Chief Rood said we would not need the Artisian siren. Mr. Smith asked if the siren is worth repairing, are we going to keep the building, how long is the quote good for, we will have to discuss it at the work session. Attorney Nichols will look at the deed. Mr. Smith thanked Chief Rood and asked him to attend the work session.

Mr. Smith said that everyone has the first draft of new financial reporting, the expenditures are self-explanatory, we have a good feel of what we are spending. The heads of the committees will be responsible for their share of the pot. He asked all members to take a look at it, if they want changes Mr. Maros can do it. And in the future we will leave a copy for the public. Mr. Markey said he likes the invoice format; he keeps a monthly spread sheet.

**INVOICES** – A motion was made by D.Markey, seconded by K.Napoli to pay invoices in the amount of \$4,999,11. All members were in favor.

**PUBLIC WORKS** – Mr. Markey said the bucket truck has been purchased, they tried to get the owner to go down to \$5,500.00 but he said he could get \$9,000.00 for it, so we paid the \$6,000.00 that was approved. Mr. Markey said that himself, T.Fuga and J.Esgro have completed the NEIM class. He also said that Mr. Jordan of Kost Tire was at the last meeting and suggested a maintenance program for all vehicles and the DPW got the list to Kost Tire. Pertaining to vehicle availability, they are to call J. Esgro.

**PUBLIC SAFETY** – Chief Rood said there have been several calls to Rushbrook Street, near the old LaRosa's store for gas smells. He said UGI came out with a meter and found a leak.

Mr. Smith commended the fire companies for the outstanding job they do and hopes the residents realize everything they do. Mr. Napoli stressed the importance that all council people have to take the NEIM class, if there is a disaster, the insurance company can say they do not have to pay. Mr. Napoli said he will come to homes to assist or at the Crystal. He also said the EMC has to be appointed by the Governor.

**SECURITY CAMERAS** – A motion was made by D.Markey, seconded by J.Mark to have Mike Shea install the security cameras at a cost of \$1,815.00. All members were in favor.

**2016 Paving Project** – Mr. Kutch recommended that council act on the paving project as soon as possible. He said he does not like fall paving. A motion was made by K.Napoli, seconded by D.Markey to have KBA put the paving out to bid at a cost of \$480,000.00. All members were in favor. Mr. Mark said the paving project will be funded with liquid fuels money. Mr. Markey said there will be a 5 mill increase next year to fund the project.

**PROPOSAL FROM BANKS** – A motion was made by D.Markey, seconded by K.Napoli to have D.Morcom contact the banks for a loan of \$500,000.00 ,for five years to pave the roads. All members were in favor.

Mr. Demarco asked who will be watching the utilities when they cut the new roads? The borough needs an ordinance. Mr. Kutch said he has contacted Rich Scheller and he is going to meet with him. Mr. DeMarco said Geo Science will come out. Mr. Smith assured Mr. DeMarco that we will have an ordinance with teeth in it. Mr. Estile asked who is going to enforce the ordinance? Mr. Kutch said someone from his office will be out there.

**STREET LIGHTS** – Mr. Markey said Mr. Shea will be at the next work session to talk about converting the street lights to led. Mr. Mark said that PPL did a conversion in Ringtown. The borough secretary said she has been in contact with PPL and there is a

charge to us for all poles that are less than 10 years old and we have fifteen of them. Mr. Markey asked that the matter be tabled until we talk to Mike Shea.

**SMOKE ISSUE WASHINGTON AVENUE** – Chief Rood said that himself and Mr. Chase have been contacted about a smoke issue in the 200 block of Washington. He said himself and Mr. Chase have been there several times and cannot find the cause. He said the residents in the area have his cell number and asked them to call when they notice it.

Request JSTC and Events Committee – A motion was made by D.Markey ,seconded by K.Napoli to allow the Events Committee to have the concert in the park on July 24, the JSTC to have the Arbor Day celebration on April 20 and Clean up Month from April 20 to May 21. All members were in favor.

At this time Council congratulated the Lakeland Mock Trial Team.

**INFORMAL HEARING** – A motion was made by D.Markey seconded by K.Napoli to give Attorney Nichols permission to start the informal hearing for Chief Zellers. All members were in favor.

**NEIM RESOLUTION** – A motion was made by D.Markey ,seconded by K.Napoli to have permission to correct misprints in the Homeland Security Neim Resolution. All members were in favor.

A motion was made by K.Naploi,seconded by D.Markey to adjourn. All members were in favor.