

**Jermyn Borough
Council Minutes
June 29, 2016**

The Jermyn Borough Council held a special meeting for general purposes on Wednesday, June 29, 2016 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn PA in the Council Chambers.

President Kulick called the meeting to order and lead the Pledge of Allegiance. President Kulick at this time pointed out the major items for discussion at this meeting; 1) safety, 2) liability, and 3) enforcement of the borough's ordinances.

On roll call present were: Messrs Frank Kulick, Dan Markey, Kevin Napoli, Joseph Smith, Mrs. JoAnne Wilson, and Dylan Reeves, Junior Councilman. Absent were: Messrs Robert Parks, John Mark and Mayor Bruce Smallacombe. Also present were Solicitor Al Nicholls and Borough Engineer Dennis Kutch.

PROPERTY MAINTENANCE ORDINANCE:

A lengthy discussion was held concerning the International Property Maintenance Code, which was given out by Fire Chief Ray Rood for the council to review. Several opinions were discussed concerning the blighted houses in Jermyn and how to get them taken care of by the owners and/or the borough making an ordinance with teeth to deal with this issue. Many stated their opinions from the audience, some were: Fire Chief Rood, Zoning Officer Chase, Lou DeMarco, Andy Whitiak and residents who did not note their names. All agreed that the blight has continued long enough.

Solicitor Nicholls noted he would like to review the IPMC and the council may want to accept some and opt out of some areas, which ever suits the Borough. He noted one page; page #27 opt out. The International Zoning Code is not acceptable and we have a sound Zoning Code in place,

Mr. Markey stated the Borough would need a Code official, and he then could appoint deputy code officials to assist. The cost would be to the home owner not the borough. It was noted that if the home did not pay, a lien would be placed on the property. Attorney Nicholls noted we would have to establish a cost for weeds, structure, dates, and fines.

Mr. Smith stated the fine structure needs to be done tonight. He suggested a sliding scale from \$100.00 to \$1,000.00 depending on the offense. Property owner will receive a notice, indicating a period of time to correct the infraction. The time frame will be up to the Code Officer, depending on the infraction.

A discussion was held about current ordinances overlapping the IPMC. Mr. Kulick noted back ordinances would be encompassed in the new code. The new code would basically replace old ordinances. The code would be more encompassing (internal & external problems), excluding Zoning. The Code can be made to fit the Borough and it can be amended, if there are updates to the IPMC.

Mr. Markey moved, seconded by Mr. Napoli, to grant permission to Solicitor Nicholls to advertise the Ordinance 2012 IPMC with a sliding scale fee of \$100.00 to \$1,000.00 with the exception of the Zoning Code section. All present voted in favor. Motion carried.

VANDLISM-LATE NIGHT ACTIVITIES:

Police Chief Arthur noted he and his department has been issuing warning to property owners for clean up and various other items. He noted finding the owners of properties that are overgrown and need maintenance to be time consuming. Some are owned by banks or mortgage companies. They, in turn, hire out for the maintenance care. If properties owned by banks/mortgage companies are not done by the date noted, they will receive a citation. A court date will be set by the magistrate and they will determine the fine. The owner will pay the fine and still have to clean up the property. A discussion ensued. It was noted that the Code Enforcement Officer and the Police department will work together with different areas of the IPMC. The Police Chief could also be a deputy enforcement officer.

Police Chief Arthur reported on the vandalism and disturbances by the youth around the Borough. He noted, when they enforce the loitering ordinance, they just keep walking. He stated the Police department and Borough Office have been instructing residents to call immediately to the Com. Center and report any incident. Some kids are from other boroughs. A discussion ensued.

Mr. Markey stated, the other evening — was the straw that broke his back. He was riding by the park and saw a 55 gallon can filled to the brim was turned over. He and his sons cleaned it up. It just sent me over the edge. “This is your town too and we can’t let hoodlums take over”. We are not going to stand for it. Tell your kids to be the good ones. Discussion about a Jermyn Borough curfew ensued. Mr. Kulick noted that a clause can be placed in the Curfew Ordinance that can make it a solid ordinance.

Mr. Napoli moved, seconded by Mr. Markey, granting the Solicitor permission to draw up the Curfew Ordinance for advertising and approval by council for a curfew for children under 18 years of age, unless operating a vehicle, for 10:00 p.m. The siren will be sounded at 9:50 p.m., as a warning for the 10:00 p.m. curfew. Children out after 10:00 p.m. will result in the parent(s) or guardian(s) being fined. The fine will be addressed and set within the Curfew Ordinance. All present voted in favor. Motion carried.

Mrs. Wilson moved, seconded by Mr. Markey, to grant permission to the Police Chief to add extra policemen and/or overlapping shifts, at his discretion, on July 1st, 2nd, 3rd, and 4th to provide safety throughout the Borough. All present voted in favor. Motion carried.

PUBLIC COMMENTS:

Mr. Allan Nelson of 500 Washington Avenue stated that there is garbage, beer cans, and cigarettes lying about at the corner. The DPW will take care of this matter.

Mr. Seidof commented on ATV's being active in the area and on streets. He was told to contact police via Com. Center when the nuisance occurs.

PAVING PROJECTS:

Mr. Dennis Kutch of KBA, Borough Engineer, stated the bids for the paving project have been reviewed and await document signage. The paving project will be done by Wayco and should start in August.

Streets to be paved: 400-500-600-700 Blocks of Jefferson Ave.
400 & 700 Blocks of Madison Ave. – 200 & 300 Blocks of Walnut St. – 300 block of McKinley – 400 block of Roosevelt St. – 100 block of Delaware – Moon Road, Chestnut St.- Lackawanna St. and Evergreen Drive.

Henry Drive paving project will be completed before the end of summer, maybe in July. Henry Drive is owned by the Jermyn Borough, but Lackawanna County is in charge of the paving project.

It was noted, by a resident, that there is an opening at the 600 Block of Jefferson. DPW A.J. Fuga noted that is probably due to the mine flushing pipe line, and should not cause a problem or concern. Another concern voiced by Mr. DeMarco was the depth of pipes around the paving project. Mr. Kutch noted the paving contractor has been advised about the pipes, depth, etc. Mr. A. J. Fuga noted the DPW will keep an eye on the pipe situation, when prepping for the pavement.

Discussion was held on the engineering fees for the paving project of Henry Drive. Mr. Kutch noted the grant CGB monies listed for consultation and engineering was \$5,500.00. His bill is much lower and it was agreed that KBA would charge the Borough for the company's engineering fee. Mr. Napoli moved, seconded by Mr. Smith to accept the KBA engineering bill and pay the fees. All present voted in favor. Motion carried.

SECRETARY/TREASURER

Mr. Kulick explained the process used in the selection of a Borough Secretary/Treasurer. Council had a 3-person screening committee. The committee has agreed upon a recommendation to submit council for hire. Mr. Markey noted they wanted a person who resides in Jermyn. Mr. Smith noted, she is very well qualified, with the qualifications necessary to accomplish the task at hand. He feels she will do a good job.

Mr. Markey moved, seconded by Mr. Smith, to hire Cara Lewis Frankosky as Jermyn Borough's secretary/treasurer at a starting rate of \$12.00 per hour. Starting work date will be July 5, 2016. Part-time working hours will be determined in the near future. All present voted in favor. Motion carried.

PET CONTROL.

Mr. Kulick noted that Jermyn Borough has a pet ordinance & a pet control ordinance, which is on the jermynpa.com page. Police chief noted that the department has caught

64 cats in the last 3 years. He stated the residents must stop feeding the feral cats. Residents who own cats should keep them contained on their property or leash them when walking.

RAYMOND DRIVE

A discussion was held concerning the clean-up of the corner of Garfield/Bacon Street. Police Chief has contacted the firm, but to no avail or satisfaction.

Mr. DeMarco stated he gives Council credit for the many items and issues they have handled this year. Two items: lowering taxes and refuse.

There being no further business, Mr. Markey moved, seconded by Mr. Napoli, to adjourn the meeting. Meeting adjourned at 8:40 p.m.

Respectfully submitted,
JoAnne Wilson
Assistant Secretary