

**Jermyn Borough  
Council Minutes  
September 8, 2016**

The Jermyn Borough Council held a council meeting on September 8, 2016 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn PA in the Council Chambers. On roll call present were: Messrs. Frank Kulick, Robert Parks, Dan Markey, Kevin Napoli, Joseph Smith, JoAnne Wilson and Dylan Reeves; Junior Councilman. Absent were: John Mark. Also present were Solicitor Larry Moran Jr., Mayor Bruce Smallacombe.

**MINUTES:**

A motion was made by Mr. Markey to accept the August 11, 2016 minutes, seconded by Mr. Napoli; all in favor, motion carried. There is a correction on the July 28th, 2016 minutes. KBA did not meet with Mr. Pidgeon in regards to his letter.

**CERTIFICATE OF APPRECIATION:**

The Mayor presented Officer Christopher Brazen with a certificate of appreciation for the recent murder search and assistance to Scott Twp. Police and also a quick response with the burglary at Discount Foods on Washington Ave. Mayor commented that Mr. Brazen has been with the borough a long time and works the overnight shift from midnight until eight in the morning so most people do not get to see the good work he does.

Mayor also read aloud an award for Officer Anthony Caljean who was not in attendance tonight due to other work related obligations. Officer Caljean was involved in the 2013 apprehension of a neighborhood predator that was harassing the local paper boy. In 2011 he was quick to respond to a home invasion on Madison Ave.

**GIRL SCOUTS:**

The Girl Scout Troop 50440 was present for the meeting. They asked for permission on Dec 10<sup>th</sup>, 2016 at 6:00 p.m. to have the lighted Christmas parade and use of the gym. They will be walking down Washington, Gibson, and Jefferson and will end up meeting back at the Borough Building. A motion was made by Mr. Napoli and

seconded by Mrs. Wilson to allow the Girl Scouts to use the streets mentioned and the gym for Dec 10<sup>th</sup>, 2016. All in favor, motion carried.

### **TRASURER'S REPORT AND DISBURSEMENTS:**

Balances are from September 7, 2016 and disbursements are from August 12, 2016 to September 8, 2016. General Fund \$217,260.37; Refuse \$126,348.98, Recycling \$18,293.31, Shade Tree \$6,861.18, Recreation 6,881.22, DPW Capital Reserve \$2,196.11. Deposits \$33,695.43 and Disbursements \$38,648.47. A motion was made Mrs. Wilson and seconded by Mr. Markey to pay all bills presented. All in favor, motion carried.

### **Refuse Bids:**

County Waste – Option #1 weekly collection & 53.50 recycling reimbursement per ton & providing a 96gl wheeled cart with lid \$ 440,820.00

Option #2 – Same refuse specs as option #1 & to include recycling and eliminate the reimbursement for recycling – single stream recycling once a week with 65gl recycling carton with lid – \$410,476.00

JP Mascaro- Refuse \$430,308.00

Recycling every week \$ 156,276.00

Recycling every other week \$90,360.00

30gl recycling carton 50cents per dwelling per month

Waste Management –

\$457,272.00 Refuse once a week

Trash and single stream recyclables once a week \$604,476.00

\$40 per ton of rec. collected by the borough

There were 3 bid proposals for Refuse and 1 for Insurance. A motion made by Mr. Markey and seconded by Mr. Napoli to extend the insurance bid until the October 13<sup>th</sup>, 2016 meeting. All in favor, motion carried. Mrs. Wilson suggested returning the insurance bid to DGK. A motion made by Mr. Markey to re-advertise for the insurance bid and seconded by Mr. Parks. All in favor, motion carried.

Solicitor Moran recommended having a 3 person committee to review the refuse bids. A motion made by Mrs. Wilson and seconded by Mr. Markey to refer all bids to the 3 person committee consisting of Mr. Kulick, Mr. Markey and Mr. Napoli who will meet prior to the October 13<sup>th</sup> meeting and make a recommendation.

**Police Report:**

The retention pond at Raymond Dr. has been cut. The abandoned vehicles at Henry Drive have been removed by the county. Chief Arthur was on standby at the Wright Center due to Governor Wolfe going there. The Steamtown Marathon requested Jermyn's participation in traffic control on Oct 9<sup>th</sup>, 2016. Chief said we normally get what officers we have available and the fire police to help out at the intersections. The Borough residents are invited Sept 28, 2016 at St. Johns Hall in Mayfield, the county will be putting on a heroin program involving the District Attorney's office.

**Mayor Report:**

Mayor wants to set up a meeting for Crime Watch. He has observed some of the police officers on duty and they are happy working in Jermyn. The Historical Society will be hosting a wine trip on Oct 1, 2016 for \$100/per person. The Lackawanna Heritage Valley Bike Tour will be Sept 25<sup>th</sup>, 2016. Mrs. Wilson said the Shade Tree usually has a stand to hand out water at Bridge St.

**Solicitor Report:**

Atty. Moran has met with Atty. Nicholls on transitioning the files. The ongoing matters are the creek project and the condemnation. Jerry Raymond is putting him in touch with his lawyer. He would like to speak to the Raymond developers to come to an understanding on the ongoing issues and resolve them. He was asked at the work session to review an expired collective bargaining agreement with Al Zabarowski. There is nothing in the agreement that compels the borough to pay. The solicitor said we will discuss it on a later date on how to handle the potential discontinued payments.

**Junior Councilman:**

Dylan encourages all to attend the Lakeland football games.

**Fire Chief Report:**

Mr. Rood has a few meetings coming up involving the transition stage with the

911 comm. center. Both companies had their radios reprogrammed are ready to switch over. The Bridge St. Fire is still under investigation.

**DPW:**

The DPW purchased a new plow for about \$4,500. The money was taken out of the snow removal budget. Archbald Borough helped the DPW blow out the storm drains behind Washington Ave. The drains on 402 Delaware are also backing up. Mr. Markey said they may ask one of the fire co. for assistance to blow out the debris.

*Brush Collection:* Mr. Markey said some residents and businesses in the borough may be taking advantage of the service that the DPW is providing. They are putting out entire trees, this is not what it is intended for and suggested calling a tree service for that. They may have to look into setting a limit or charging a fee. Mr. Markey said this is getting to be a bigger and daunting task for the DPW.

*720 Lincoln Ave:* They are taking on a lot of water; the water is running down the street from a hill in Mayfield. Mr. Markey said we will have to take a look at it and possibly try to get Mayfield involved. Mr. Parks said that road was paved with county money and there was supposed to be a berm put in to prevent that from happening and suggested seeing if it is still there.

In October Mr. Markey will be having a meeting with the DPW to put together a winter schedule.

*Yard Sale Signs:* Mr. Markey encourages all residents to take down their yard sale signs when the yard sale is over.

The DPW has cleaned up the trees, brush and weeds in the creek bed and banks along Rushbrook creek.

There have been reports of overweight and over height trucks on Bridge St. Mr. Parks said we already have the height limit on the bridge. Council suggested placing the sign on Washington to go on to Bridge St.

The Lakeland Youth Sports wants to purchase a scoreboard for \$3,300. They have a grant for 2/3 and they put in the rest. They suggested bringing this up to council and the borough paying for it and they will reimburse the borough. Since they are not tax exempt we would help them save about \$200. Mr. Smith asked Mr. Markey where the money would come from. Mr. Markey said the general fund; it will be an in and out. Mr. Smith said this is what always happens. Mr. Kulick suggested taking it out of the recycling fund. Mr. Napoli made a motion and seconded by Mr. Parks to make the payment of \$3,295 for the basketball scoreboard out of the recycling fund, which is contingent upon the agreement they will reimburse us. All in favor, motion carried.

A motion made by Mrs. Wilson and seconded by Mr. Markey to change DPW cell phone Joe Esgro to lesser basic plan of \$8.99/mo. All in favor, motion carried.

**Finance:**

There will be a finance committee meeting on September 13, 2016.

**Shade Tree:**

A few residents asked if they can trim/water some trees. Mrs. Wilson discussed with the committee and the committee has agreed. One resident put in a new garage and a tree was in the middle of his driveway.

*The Recreation Committee* had a wonderful Jermyn Day. They are looking for volunteers for the October Trunk Halloween.

*Shade Tree* will be planting new trees to replace the dead ones along the sidewalks. Mrs. Wilson is looking into a grass grid.

*The Events Committee* will be taking the flower pots in.

Mrs. Wilson stated the files in the office are in order. Mrs. Wilson said she will be cutting back on hours. She said she wants to see the office in perfect shape before she leaves. A motion was made by Mr. Markey and seconded by Mr. Napoli to make Cara Frankosky the Right to know Officer for the Borough of Jermyn. All in favor, motion carried.

**Junior Council:**

Mr. Kulick read aloud a letter from the superintendent of Lakeland School District. They are looking for a few characteristics to select another junior council member. Mr. Kulick asked our Junior Councilman, Dylan Reeves to make a list of characteristics.

**Security System Upgrade:**

Mr. Markey said Mike Shea is currently working on bid specs for the upgrade.

**Henry Drive:**

Mr. Kulick said they will start paving at the end of the month.

**Jermyn Paving:**

The paving of the streets will be begin mid-September.

**Delinquent Tax:**

Mr. Kulick said there is a list of delinquent tax payers. Solicitor Moran asked why the single tax office isn't collecting these. Mr. Kulick asked if we can publish the list of tax payers in the paper. Solicitor Moran there is a distinction between a debt and a tax and he wants to clarify this.

**Rental Property Permits:**

Mr. Kulick said we are collecting a nominal amount. We are charging \$10.00; we collected \$730.00 and sent out 187. Mr. Kulick said we need to either make it more substantial or get rid of it. Mr. Markey asked when the fee schedule was instituted. Mrs. Wilson said around 2012. Mr. Kulick stated that Mayfield charges \$60.00. Mr. Parks said originally he thought it was supposed to be per unit not per dwelling.

**Appeal Board:**

Mr. Grizzanti said Mr. Kutch is ready to go into the red house on Washington. Mr. Rood said he would like to get some identification badges made up. He asked if the owner does not let them in what is the next step legally. Solicitor Moran said you cannot just go in there but there are steps to take. Mr. Rood said if the owner of the red house does not do anything soon he will need to board up the windows properly. Mr. Markey asked if the tags have to have their picture on it. Mr. Grizzanti said they may have tags at KBA.

A motion was made by Mr. Napoli and seconded by Mr. Markey to appoint Dennis Kutch and Bob Chase as deputy code officers. All in favor, motion carried. Mr. Rood asked if Chief Arthur is required to go with them. Solicitor Moran said he is there as law enforcement. Solicitor Moran asked if he has any information on the UCC Appeal Board.

Mr. Rood said Clarks Summit had appeals board. Solicitor Moran said we should, we are going to have our own code enforcement officer; we are going to be issuing fines and citations, the borough residents may want to appeal them. Mr. Rood asked if we can use the same hearing board as the Zoning Hearing Board. Letters will be sent out to the Zoning Board. Mrs. Wilson asked if we get a call on brush/grass getting to high who do we call, we usually call Chief Arthur.

**Grant:**

Mr. Kulick said the grant that we got from the gaming commission needs to be signed and sent back for the \$50,000. It will be for the parking lot. We have until July of 2019 to use the money. Mr. Kulick suggested we will not do anything with it right now; it is late in the year. Solicitor said make sure we are compliant when we decide to use it.

**Audit:**

According to borough code we are require to do an exit audit when an employee who handles financial matters leaves. Solicitor Moran suggested Michael Barbetti. Michael Barbetti submitted a proposal for \$7,500 for a year-end audit. Mr. Smith said the finance committee is looking at revenues for 2017 and they have nothing to go on. Solicitor Moran will ask Michael Barbetti for a new proposal to do an exit audit. Mr. Kulick said we would like to get the accounts balanced and go forward.

**Town Hall Meeting with District Attorney:**

Mr. Kulick will give the District Attorney a couple of proposed dates. Also to propose a resolution to support Mayfield.

**Jermyn Flag:**

Mr. Markey asked Dylan Reeves to help with a Jermyn Flag design. We do not have a Jermyn Flag and suggested the high school art students can come up with a flag design contest.

**Sidewalk Ordinance:**

Mr. Kulick asked if there is an ordinance to maintain the grass between the sidewalks and the road. It was noticed on Washington some of them have not been cut. Mrs. Wilson said Shade Tree pays for the 500-600 block and down towards Kennedy's. The Shade Tree cuts those areas because it is considered the business area in town and they want to make it look welcoming. Mr. Rood said there was an ordinance made up during the main street project; it is the property owner's responsibility to maintain that area. Mr. Markey stated if we are going to treat residents on Washington Ave. a certain way, we have to treat them all equally. Mr. Markey does not feel Shade Tree should be responsible for maintaining the grass on Washington Ave. Mrs. Wilson said in the long run and decided next meeting it will be brought up that they will not cut the grass. Mr. Markey suggested keeping the Memorial Day mowing because it is through the whole town.

**Walkway on Lincoln Ave:**

There is no schedule for the walkway on Lincoln Ave.

**Digital Back up:**

Mr. Markey said there are 8 ordinances on the website and we need a secure back up. Mr. Rood suggested dropbox. It was suggested to start scanning documents in and back them up on a service. Mr. Kulick mentioned that the programs that we currently have are outdated and recommends some changes.

**Meeting Changes:**

Mr. Kulick suggested eliminating the work session and having two regular council meetings a month. If we were to do this we would change the dates for the meetings. It was suggested to having the meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month. Mr. Markey said we have a lot to do to progress and it would be an added value to have two meeting to take action. A motion was made by Mr. Markey and seconded by Mr. Napoli to convert the work sessions to a regular meeting effective October 6<sup>th</sup>. All in favor, motion carried.

**Garbage Reimbursement:**

Mr. Kulick said we reimburse for garbage if the property is vacant and he is questioning

the validity of this. Mrs. Wilson said they are not supposed to be reimbursed until the end of the year. Mr. Markey said people may be reimbursed and there is no tenant, the owner may still be throwing out garbage at the property. It was suggested to eliminate the rebate and will be brought up in discussion next meeting.

*Council went into executive session at 9:26 p.m. to discuss personnel issues. Council reconvened at 9:43 p.m.*

A motion was made by Mr. Markey and seconded by Mr. Smith to hire a part time DPW employee, Bruce Smallacombe at a rate of \$10.00/hr. All in favor, motion carried.

A motion made by Mr. Napoli and seconded by Mr. Smith to adjourn the meeting at 9:45p.m.

Respectfully Submitted,  
Cara Frankosky

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## One Reply to “Council Minutes – September 8, 2016”

1.



Jim Davis

[October 26, 2016 at 1:33 pm](#)

### RENTAL PROPERTY PERMITS

It appears as though Mr. Kulick is either in favor of doing away with the Rental Property Permits fee or substantially increasing it. My guess is that there will be a move to substantially increase the fee which is unfair and not what the intention was. When this permit was put into force the purpose was to have a data base of rental property owners, especially absentee landlords. It was not a fee to make money by

becoming a quasi tax on rental property owners. I as a rental property owner was I total agreement with the permits. I thought it was a good idea.

It was reported that 187 permit bills were sent out and only 73 rental property owners paid the fee and 114 did not. Here is a novel idea: Instead of PUNISHING the rental property owners who paid the fee, file a compliant with the District Justice against those who did not and let them pay the fee plus a fine plus court costs.

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Comments are closed.