

Jermyn Borough

Council Minutes

June 21, 2018

The Jermyn Borough Council held a council meeting on June 21, 2018 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn, PA in the Council Chambers.

On roll call present were: Frank Kulick, Kristen Dougherty, Dan Markey, Kevin Napoli, Cynthia Stephens and JoAnne Wilson. Also present were Mayor Fuga, Atty. William Aquilino, Ray Rood. Absent; Carl Tomaine, Bob Chase, KBA.

MINUTES: A motion was made by Mr. Napoli and seconded by Mrs. Dougherty to accept the minutes of May 17, 2018. All in favor; motion carried.

Correspondence: Applications for the summer instructor Letter from Atty. Lawler that is addressed to Mr. and Mrs. Virbitsky. Atty. Lawler is Mayfield's solicitor. They originally sought building permits from the Borough of Mayfield and then obtained them from Jermyn Borough. His review of the Boundary lines with the property is located in Mayfield. This location is also confirmed by the Lackawanna County Assessors Office. Any further required permits will be obtained to the Borough of Mayfield and property taxes will be continued to be paid in Mayfield.

Mr. Kulick said he believes the Virbitsky's are disputing that. Mr. Kulick said we think it is in Jermyn as well, we will see what happens.

Public Comment: Frank Mangan – 610 Washington – Mr. Mangan said the corrections for the code violations are all completed. Everything is 100%. There is probably some paperwork that the code enforcement officer needs or wants to see. Atty. asked if he was done with everything. Mr. Mangan said he is done with everything. Atty. asked if he can have an electrician certify or a contractor certify the roof that we can take a look at and discuss if that has already been done then maybe we don't have to send the housing inspector out. Mr. Mangan said some of the stuff had permits that were filed, the electrical work and the roof were through NEIC. Neic did the inspection. Atty. asked if they did the inspection or issued the permits. Mr. Mangan said they did the final inspection. Atty. asked who he talked to at NEIC. Mr. Mangan said he would get the papers together and get them to the Borough office. Atty. said if the NEIC is satisfactory that he won't have to send over the building inspector to take a look at it. Mr. Mangan said he would put everything together. Atty. said once he gets that and takes a look at it he will talk to him about issuing a new rental permit for that unit.

Katelyn- Lackawanna County – Arts and Culture and Parks and Rec. Offices have their arts in the park events. Please see the Borough Website for dates.

Area Agency on Aging will have the 2018 Farmers Market vouchers – please see our Borough Website for locations and dates.

Guided Nature Walks – Please see our Borough Website for locations and dates.

Lou DeMarco – 208 Gibson – Thanked Mr. Kulick for not resigning after what happened last month. He accepted the fact that he owned up to his mistake. Mr. DeMarco said he is doing a good job. Mr. DeMarco said he is curious to see about the comment that the solicitor directed towards him on Facebook if council saw it and if they feel it was justified. Mr. Demarco asked the solicitor why he made that kind of comment, indicating he was taking a shot at Mr. Kulick and none of his previous comments that were there put Mr. Kulick down. Atty. said he did take a shot at Mr. Kulick and they would discuss it later. Mr. DeMarco asked council is that is acceptable. Mrs. Wilson said she did not see it. Mr. Markey said he saw it and it took place on a community Facebook page which we all know he started as a private resident years before he got on council. Mr. Markey said he always tried to tell people to keep it clean. Mr. Markey said he has been attacked on there many and many of times. He did see it. Mr. DeMarco asked if that is his definition of professionalism, it was very unprofessional. Mr. Markey said he understands his concern, it was his own private Facebook page and it wasn't like solicitor or Jermyn Borough Facebook page, that is why him personally, he doesn't have a dog in a fight here. Mr. DeMarco said these are the people that we appoint or elected and this is how we conduct ourselves. He was not putting Mr. Kulick down and he was elaborating on two subjects that were discussed at the last council meeting. Most people are accused on hiding on Facebook and that is not what I do and he feels that was unprofessional.

Jeanette Brown – 34 Old Mill – Ms. Brown called the Borough building a few times, her neighbor has 12-14 dead fir trees bordering her property. They are not being taken care of, she is wondering if anything can be done about this. Mr. Aquilino said he gave her a call and left a message maybe a couple of days ago. Mr. Aquilino asked if she had any pictures with her. Ms. Brown said she probably does on her phone. Mr. Aquilino said they will talk about it and asked whose property are the trees on. Ms. Brown said the neighbors. Mr. Aquilino asked how many trees. Ms. Brown said 12 or 14. Mr. Aquilino asked if they are close enough to her house that if they fell or damaged that they would fall on her house. Ms. Brown said through the years she has asked them quite a few times to cut them. The neighbor promised a lot of times. Mr. Aquilino asked her to email the pictures to the Borough.

Secretary Report:

Issued Yard sale permits, dumpster permit, pave cuts

A lot of calls for electronics pick up, good feedback from residents for the curbside pick up

Received the executed documents back from the sewer grant

Received 3 applicants for the summer activities director

TREASURER'S REPORT: General Fund \$252,594.32 Recycling \$6,352.74; Refuse \$94,778.20, Investment Liquid Fuels \$43,925.54, Liquid Fuels Checking \$71,962.12, DPW Capital Reserve \$39,310.30. Disbursements from May 17, 2018 to June 21, 2018 including 3 periods of payroll \$66,120.64. Deposits \$143,585.82.

Mr. Kulick questioned the Crystal Fire Co. phone bill and the Artisan Phone bill, why so much of a difference. Mr. Rood said that was discussed with previous councils and he doesn't know why. The Crystal's phone was paid for because of the system that was in there, needed a land line. This is going back years and years ago. Mr. Rood said he doesn't even know who the phones are with. Mr. Rood said Mrs. Wilson discussed about having Adams involved because Adams does have the internet and TV there. It is a Borough bill that he can not answer. Mr. Rood said he doesn't know how it got there and when it got there. He never even knew the cost of it, as far as he knew it was always paid for by the Borough. Mr. Kulick said he isn't questioning why the Borough is paying for it, why the big difference. Mr. Rood said he does not know why it is that high. He does not even know who the carrier is. Mr. Markey said when Debbie was still here and he asked her about it and she told him that it was because the Artisan signed a contract a long time ago and never switched and that is the rate that they were locked into. It was a long time ago. Mr. Rood said the Artisans came in and said why is the Crystals getting theirs paid and they aren't. Mr. Rood explained to them it was for the notification system.

Mr. Rood said it is something we should check into, he doesn't know if Adams would cost the Borough that much. Artisan Co. phones are through Verizon and Sprint and Crystal is with Line systems.

A motion was made by Mr. Markey and seconded by Mrs. Wilson to accept the treasurer's report and bills as presented. All in favor; motion carried.

Tax Collector: Mr. Kulick said she is not here, he would like to go on record he said it is getting to point it is ridiculous that every time sometime comes and pays their taxes that there is a sign on the door that she is not here. She is never here. People come here to pay their taxes, she is supposed to be here this week. We can't do much about it, our hands are tied. Mr. Rood said didn't last time you had something that if she isn't here someone is supposed to be here for her. Mr. Kulick said she can have a deputy tax collector. Mr. Kulick said he has had people come to him and say they are not going over to the East side of Jermyn to pay their taxes, it is on the bill she is supposed to be here.

Mr. Kulick made a motion that we send the tax collector a letter advising her that we expect her to follow the published hours on the tax bill and be here for collection. Seconded by Mr. Napoli, Mrs. Wilson asked if she is supposed to be here at the meeting once a month. Amended motion to include that the tax collector should be here for at least one meeting as the ordinance stipulates. All in favor; motion carried.

Mr. Kulick said we passed that we would only accept and no cash. It has become somewhat of an issue because people come in and want to pay with cash that do not have checks. Mr. Kulick said he thinks we need to change that. Mr. Kulick said we did it because we think it's the right thing to do and turning out maybe it isn't and people are complaining, they have to go home to get a check or they don't have checks. Mr. Markey said what was going on is like Mr. Kulick said there are a lot of people that didn't know they couldn't pay by check, we did at one point did a suggestion by Mr. Garvey at Barbetti's firm to not accept cash any longer but what he thinks that we could probably do if it's a safety issue we can get a safe. Atty. said it's always better to take checks

because at times it can become a proof issue, from what he understands you can go to a bank and get a certified check or Western Union, you can get a check. Mr. Markey said or a money order or something like that. We have cameras and we have receipts and the secretary can give a receipt for anyone who pays cash for anything. Mr. Markey said he made the point the other day that people pay cash to the vending machine, when he cleans out the vending machine he hands the secretary \$200.00 cash, what's the difference? Atty. said his only concern is with the people in the building, its not secured and number two 10 people can come in and pay taxes, \$10,000 or something like that in cash. Mr. Markey said that is another point, the tax collector accepts cash. If we are going to accept cash for taxes but we are not going to accept for a \$10.00 permit, he sees it counterproductive, especially with the complaints we have been getting. Mrs. Wilson said we haven't had a problem with it in the past. Everyone that has been in the office are keeping accurate records, there is a receipt. Mrs. Wilson said she doesn't like to take cash with anything with the committee's. Sometimes people need a permit and they are not at home and don't carry their check books. Mrs. Wilson said we are here at the convenience at the residents. Mr. Markey said we should make it easy to be able to take peoples money. Mrs. Dougherty said if people can pay their \$2,000 tax bill in cash, to her that is the bigger concern than a \$10 permit. Mrs. Dougherty asked what is the biggest amount of money that is collected out of the office. Mr. Markey said not too much, pave cut permits are paid by companies who pay by check. Mrs. Dougherty said do we put a threshold on the amount. Mr. Markey said he doesn't think anyone is walking in here with \$1,000 cash and if they do she can close the office and go right to the bank. Mr. Markey said it was a good decision and a suggestion by our financial advisors but you do that and see what happens and see that people are complaining about it and maybe we have to dial it back a little bit, maybe this is a good decision for the time that we are at right now. If something ever happens, we have the police station across the hall way, cameras and receipts. Mr. Markey said we will get a safe.

Mrs. Wilson made a motion to rescind a previous motion of checks only to now accept checks, cash or credit cards, seconded by Mr. Markey. All in favor; motion carried.

Mr. Markey said we still have some updating to our website to do however if anyone needs to pay anything as far as fees or anything like that to the Borough office you can call the Borough office or come in and we can accept credit card payments now. Mrs. Wilson said the website is being worked on to accept the credit card payments.

Police: Chief Arthur said they are continuing their enforcement for ordinance violations. The property on Madison was cited for overgrown grass and garbage on the property. As of right now, the front yard is somewhat cut. The backyard was not cut and the garbage is still there. The property is 615 Madison Ave. Chief Arthur said they are continuing to do speed enforcement. There are a lot of kids on ATV's, if you are under 16 you are not supposed to be on them. The Police will start impounding the machines. Chief Arthur said school is almost out and it seems like its not the kids from Jermyn, it's the kids from other towns that are coming over and causing problems. They are making arrests and issuing citations, they are making it very clear to them do not come to Jermyn causing trouble. They are still doing the house watch checks. Chief Arthur wants to thank the fire police, there had been incidents where they came out and helped. In addition to them, Mayfield Fire Police came out and assisted us, Chief Arthur

thanked them all for their assistance. Mayfield and Jermyn do work very well together in the police departments and fire police.

Mr. Kulick said maybe we should put it out on rapid cast that anyone that is going to be shooting fireworks for the 4th of July, has to have a permit issued by the Police chief or Fire chief. Lou DeMarco asked if there is a limit to that. Mr. Rood said he read that ordinance a few times, only if you got fireworks that were illegal in PA. Chief Arthur said its in the ordinance you need to be bonded. It's a high value and he doesn't think its even feasible for anyone in town to get that kind of bond. Mr. Kulick said the new fireworks law because they are legal now, you can buy them but you can't discharge them within 150ft. of an occupied structure. Mrs. Wilson said if the people use common sense.

Fire:Mr. Rood said things can have been quiet. Last night at class night, the Crystal participated, they had a lantern ceremony. The six-county convention is this weekend in Hanover.

Code Enforcement Officer asked what restrictions they have related to fires in multi family dwellings, some of the units only have one exit. Mr. Rood said that goes back to the NEIC as far as the UCC code for PA, the fire codes; there is nothing. On a new building there is and for a certain amount of percentage of remodeling there is. Mr. Rood said you need one 36inch exterior door. Mr. Markey said what if you are on a second floor and your only other means of egress is a window that is blocked by an air conditioner. Is there any issue with that? Mr. Rood said one time in Mayfield there was an air conditioner in the window that came flying out, he can't say that for sure what would happen. Mr. Aquilino said we had an application for rental permits and he has some concerns about the mobility of people in the building in the means of egress in the event of a fire. Mr. Rood said he had that concern years ago on Rushbrook St. there was a Jermyn manor. Mr. Rood said as far as the UCC codes you have to check with NEIC.

Engineer:Mr. Kulick said we had a meeting regarding the Rushbrook Creek Project and the wetlands mitigation. The end result was, we don't know. Probably more money. Mr. Grizzanti is following up with DEP. The meeting was with Mr. Cavill's office. Mr. Kulick said when we get to that point, the area down below Wayne's, there is something that has to be preserved and we would have to have a fund that we would have to maintain it every year and it is going to be very expensive. There are banks where you can buy credits. Mr. Kulick said what he got from the meeting was, it was at the suggestion of Mr. Cavill to have this meeting, was under the impression that it would maybe save us money for a one time payment, that one time payment could be \$100,000. There are different ways to look at it and do it, they may have credits to sell at one point. It's a lot of money either way. Mr. Kulick said on a positive note, we did get another extension on the grant until June of 2019, which will most likely extend that again.

Code Enforcement:Mr. Aquilino said from a code enforcement standpoint, we are trying to focus on rental properties that have been cited for various things. Rental permits are pulled until repairs are made for the safety of the residents and for the safety of the people that have to go into those buildings. When you get your rental permits you are going to have to go through an inspection. One of the things we have

been getting in correlation to some of the citations that have gone out is issues relating to knotweed. People have limited information with what you can and can't do with knotweed. Mr. Fuga said we cannot take it to the recycling center. They do not accept it. The reason is because they compost everything and they do not want it in the compost. They are trying to stop the spread. Mr. Aquilino said when people ask he will tell them, DPW can not take them away but it can go in the regular landfill. Mr. Fuga said they can put it in their trash but we can not take it. Mr. Markey said we found out that even though this is choking Jermyn and Archbald, basically everywhere where the Lackawanna River flows, it can be eaten; its roots help fight cancer and they have all kinds of healing properties in it, you can turn it into wine. Somebody can make millions. Mr. Aquilino asked what about people spraying it? One of the guys that called him, it is partly on his property and partly in the alleyways and Borough property. It is on the creek hill. It's everywhere. Mrs. Wilson said we have got into a discussion with Penn State extension and DEP will not allow you to spray it if its near water, you have to assure them that when you spray it, it doesn't get into the water. Mr. Napoli said it can not be in any runoff areas. Mrs. Wilson said Penn State has suggested, once you cut it back if you want to get rid of it you are supposed to leave the leaves on in the fall and then spray it with round up or a heavy chemical that is sold over the counter. At that time, it takes it into the root and it may take 2 years to get rid of it but that is when you are supposed to spray it, not during the summer; in the fall is when you are supposed to spray it and kill it.

Mr. Aquilino said there have been a lot of citations issued for people's lawns, we aren't talking about 2-3 inches or a skipped weekend. It's a foot or two, animals that start to hibernate and nesting. There was a picture of a rat that was big that was living in somebody's 2ft. high lawn. We are focusing on those and securing structures and making sure the abandoned homes are secured so kids don't get hurt.

Mayor: Mayor Fuga said as most of you know the ATV's have become a problem and we are working together, we are going to come up with a plan to deal with them in a better way then normal. We are keeping it quiet, we are working with the police and we are going to start taking care of it. Once the word gets out, it should calm down. Mayor said so everyone is aware, there are some people that go from point A to B to get up in the woods and don't cause trouble. They are not the problem. It's more or less kids on them, racing around, going through stop signs, going 80mph. We aren't after the person that wants to get to the woods, to go hunting or fishing. Mr. Markey said it's the people that are going to kill themselves or kill someone else. Mayor said it should be stopping pretty soon.

Solicitor: Atty. said they will start citations with the district of justice.

Shade Tree Ordinance: A motion was made by Mrs. Wilson and seconded by Mrs. Dougherty to pass the Shade Tree Ordinance amending ordinance 5-03 for the Shade Tree Commission. All in favor; motion carried.

Shade Tree: Mrs. Wilson said the Farmer's Market is starting June 22 and June 23. It will be Fridays and Saturdays from 11AM-6PM. It is John's Corn. They are accepting the Lackawanna County Farmers Market vouchers.

The Events Committee will have the free concert on July 8 from 6PM-8PM at Callahan Park. If it rains they will have it in the gym. Free soda, ice cream and hotdogs.

Shade Tree is working with the DPW for the hometown heroes banners. Mr. Kulick asked if they are still accepting applications. Mrs. Wilson said we are still on phase 1. We are still accepting them but get them as soon as possible, we only have a few places to put them. The second phase we have to contact PPL, there may be a charge to use their poles. We may have to go to a bigger size. We are trying to get everyone that we can. Tell them the deadline is July 1st, 2018.

DPW: Mr. Markey said we sold the 2002 DPW truck, it sold for \$20,100 which was the highest bidder. A motion was made by Mr. Markey and seconded by Mrs. Dougherty to approve the sale of the 2002 F-550 to Mark Manglaviti for \$20,100. All in favor; motion carried. Mr. Markey said the low miles sold it. We put about 1,000 a year on it. It needs some cosmetic work. Mayor said he was very happy when he saw it, he wanted it.

The electronics recycling is going well. We pick up on Wednesday and Friday for the month of June. We go to the recycling center every Friday.

Mr. Markey said one of the things we are changing a little bit from what we had initially planned is, we had budgeted money over the past couple of years to change out all the old street signs with our newer reflective green signs that everyone sees around town. What we were going to do is have a giveaway and give about 5-10 street signs away, probably just putting street sign names and picking them out of a hat, we are still going to do that for about 5-10 signs we will do the giveaway to the residents in town. We were going to have a raffle afterwards and raffle off chances to win a street sign but instead of doing that, what we are going to do is just put it out there the name of the sign and how many we have and its first come first serve and a \$5.00 donation to the DPW will get you a street sign. If you have a street that you live on or have lived on and you would like a sign, you can either message the Jermyn DPW Facebook page or call the Borough office and the DPW will take an inventory of all the old signs that we still have. If there is one available, a \$5.00 donation will get you one. You want 10 signs, \$50.00 donated to the DPW.

Mr. Markey said for everyone on council if you get any questions, complaints, requests from anyone in town or if you need something done by DPW, please let him know about it. Instead of going right to the DPW. We have a process that we need to follow, we have things scheduled for certain days and we can probably, most certainly get to your request but please let him know about it and then he can discuss it with the DPW and see where it best fits. We want to make sure we have all of our ducks in a row and everyone knows what it is going on including the chairmen of the different departments.

Atty. said he had an inquiry after the bid was awarded for the truck about the bidding process. He returned multiple times attempted to contact the person and left messages. He did not hear anything back. Mr. Markey said someone had caught in a bidding war with the winning bidder. The site that we use, municibid; they will automatically extend the auction to prevent sniping so someone can't come in at the last second and sweep in with a winning bid and not give the person who had the winning bid another chance to rebid. They will extend the auction for up to two minutes and then if no other bid is

placed, then the auction closes. You could also set a max bid, if someone had a high bid of \$15,000 but you don't want to bid \$15,500; you just want to go and say keep bidding until my bid hits \$20,000. You could punch in \$20,000; your bid will go to \$15,500 or whatever the next increment is and if someone out bids you then you automatically go up the next increment until you hit your max bid. He thinks that is what happened in this case, the winning bidder, bid to a max increment. That is all municipal, we have nothing to do with that.

Mr. DeMarco asked if they are doing anything for the Christmas lights, weren't you doing something with the street signs for the Christmas Lights? Mr. Markey said that was separate. What we did for the Christmas lights, first we started selling the Jermyn PA is awesome mugs and then we started selling the t-shirts and sweat shirts. All of that money was and is going to the Christmas Lights Fund. We still have plenty of product. We just bought seven new lights from the money we made last year. Mayor Fuga is a part of the Christmas Lights committee, there is a formal committee. Mayor said we need members. Mr. Markey said it needs to reorganize. Mr. Markey said if we get some people in that committee and then it's more than just a couple of council people trying to do stuff to raise money for lights, then it's a committee and you are doing this and doing that and maybe having a spaghetti dinner or something like that to try and raise funds. Mr. Markey said he knows there is money sitting in two different accounts. Mayor said it is all combined, there is just one. Mr. Markey said we have some money sitting in a fund as well.

Mr. Markey said the second little free library is up at WWI Memorial Park on Bridge St.

We finally have wireless cameras for the park, we bought 6 of them. We have to get in touch with Adams to get Wi-Fi run over to the stand. We are going to keep the DVR in the stand over there, which we will have a camera on. Mr. Rood said we have Adam's with the Borough, the fire co., some of our phones are with Adam's, shouldn't someone talk to them and see if we can get a whole package? Mr. Markey said Mrs. Wilson was trying to set something up for last week. We asked the Adam's cable rep. to come to the meeting tonight, there was a conflict and couldn't make it. Mr. Markey said Mrs. Wilson was asking if we could do it during a committee meeting but he knows he wasn't able to make the committee meeting and he wants to be able to talk to her, maybe if we can invite her to the next council meeting and we can talk to her with the public here. Mrs. Wilson said would you rather a committee a meeting, we have one scheduled for next week. Mr. Markey said we can do that as well, it doesn't matter to him. Mrs. Wilson said then we could bring her forward. Mr. Markey said that is fine. Mrs. Wilson said instead of making our meeting here much longer with all the questions, maybe get a committee meeting and sit down with her and get somethings hashed out so when she does come to a council meeting everything is clear cut. Mr. Markey said it doesn't matter to him, as long as she comes to a council meeting too because there are only 3 members on a committee. If the other 4 members of council have questions that maybe we didn't think of. Mrs. Wilson said and also the solicitor has to be involved too.

Atty. said if you can make a note about who comes to the meeting is a person who can actually make decisions because we wouldn't want to go through all this and then go through it a few more times.

Public Safety:Mr. Napoli said we have a Mayor and a police chief with a very good relationship, he would like to see council and anybody else including the Borough secretary, if you have an issue with the police and it is not an emergency, lets go through the Mayor and let the mayor go up to the police chief and discuss what needs to be discussed. Mr. Napoli said we didn't have this luxury for quite a while and now that we have that luxury we should take advantage of it, so everything goes through smoothly.

The second thing he would like to discuss is at the beginning of the year, when going over the budget it was not budgeted for the police to have a raise, that was partially his fault because he wasn't aware that at that time he could ask for one. Mr. Napoli said luckily the truck that we just sold, sold for way more than we thought it was going to. Mr. Napoli thanked Mr. Markey and Mr. Fuga for brainstorming with him and coming up with the idea to use part of that money we made on the truck to allow the police to get a raise. Mr. Napoli made a motion that the part time police officers receive a \$.50 raise starting July 1, 2018, Mr. Markey seconded the motion. All in favor; motion carried.

Summer Program:Mr. Kulick said we have 3 applicants. Dom Paglianite, Mariah Loughney and Patricia Pearsall. One applicant was present at the meeting, Dom Paglianite. Mr. Paglianite will be graduating this year, he will be going to Keystone College in the fall and will be playing lacrosse. Mrs. Dougherty said that is her son so whatever decision that will be made will be without her tonight, if one is made. Mrs. Wilson said Ms. Pearsall was ahead of the recreation committee for years and was with the sports league in the gym. Mrs. Wilson said the only thing about all three of them is that are they going to be responsible enough? Will one person be able to do it by themselves or will that person need an assistant? Mr. Paglianite asked what time will the gym be open? Mr. Kulick said we figured it would be 20 hours a week, 4 hours a day; probably 10am-2pm. Mr. Paglianite asked what the age groups are to be left without their parents? Mrs. Wilson said she thinks we should set a perimeter on what we are offering to certain age groups. You don't want 5 year old's here, unless you have two people. Mrs. Dougherty said the keyword is unattended, without a parent; it will happen. Mr. Markey said this is to take place in the gym. Mrs. Wilson asked if everything is in the gym? Mr. Markey said this activities program is for the gym, that is the way he understood it. Mrs. Wilson said she didn't realize it. Mr. Kulick said we need to make a decision soon. We need to have a committee meeting and setup parameters then we will have to have a special meeting and interview the applicants. Mr. Kulick said we need to start it the week after the 4th of July. Mr. Paglianite asked if the kids would have to have a release form signed by their parents? Mrs. Wilson said yes, they should. Mr. Paglianite asked how supplies are going to be purchased. Mr. Kulick said we budgeted \$500.00 for supplies, we just need to figure out what we need. Council thanked Mr. Paglianite for his suggestions and questions.

Mrs. Wilson said just a suggestion, its 5 days a week, wouldn't it be applicable to have 2 days from 5-8 and the other 3 days have an older group of kids that you can do older things with so that you don't have the 6 year old's with the 10 year old's. The arts and crafts, if you have a younger age group, you gear it to them, its just a suggestion. Donna Stackel asked if they will need clearances. Council said yes. Mr. DeMarco asked if there is a maximum number of kids. Mr. Kulick said these are all questions we probably didn't think about to be honest. We are trying to do something good for the

community. Mrs. Dougherty said if it happens to all be very young children, with a bunch of young children with one person. Mr. Markey said he thinks it makes sense that if you are under 10 you have to have a parent or guardian here with you and the parent or guardian can help you with the macaroni art. Whoever is going to run this program, should be the facilitator. This is what we are going to do, you are going to help your kid. If you have a young child, someone is going to come with them because its not going to be a drop off daycare for older kids yes, the ones that are already riding their bikes over the park, ride your bike over to the Borough building and shoot some basketball. If you are under 10 years old or whatever the age is, then no you have to have someone here with you and they can help you out, they can shoot baskets with you, do painting or art. Mr. Markey said whoever it is going to be, shouldn't be the only adult in that gym. When you have the little ones, that person should not be the only adult there, you're the facilitator, not the babysitter. If you're the babysitter then let's start charging a fee for this. Mr. Markey said it should be a free program, but they are not babysitters, they are a facilitator, there is a huge difference. No one should drop their 5 year old off. Mr. DeMarco said Dickson City Civic Center it is a Borough run facility and suggested to contact them for suggestions.

Zoning Hearing Board Costs:Mr. Kulick said this is something he put on the agenda. We had a recent case where there was an appeal. It wasn't for a variance. Variance means that you want something that's not in the book, exceptions to the rule. This was an appeal that was a misinterpretation of the zoning ordinance. It was Mr. DeMarco's hearing. Mr. DeMarco hired an attorney and he went to the zoning hearing board and he ruled in his favor. Mr. Kulick said it got him thinking about it and he thinks personally, if he was citizen of this town and he appealed a ruling of the zoning board of the zoning officer and appealed the interpretation of the rule and I won, I don't think he should have to pay. It should have been granted in the first place. Mr. DeMarco said he requested several meetings to discuss. Mr. Kulick said if you are requesting a variance, win or lose you are going to pay because you are asking for an exception to the rule. The zoning hearing solicitor advised the zoning board that was correct, it was a misinterpretation of the book. If you want to request a hearing for a variance, you pay \$500.00 plus costs associated to the hearing. If you are asking for a variance, win or lose, to bad. You are paying the money because you are asking for something different than what is right. If you appeal because you feel you are not given a permit because of a misinterpretation of the zoning book and you win that, why should you have to pay for that? Mr. Rood said he is trying to think because the Virbitsky's, when the guy across the street that lived in Mayfield, was coming after him all the time and he was involved in that and we got the property line, it came to the zoning hearing board to an appeal and he won the case, to him he should have got his money back and he thought there was something in there where he would get his money back because he won the case. Mr. Kulick said he looked and didn't see anything in there about getting your money back if you win the case, he isn't sure if they are talking about the same thing.

Mr. Kleha said didn't that fall back on detached and attached, that's what this was all about. Mr. Kulick said whatever the reason that it was denied, it was because of the interpretation out of the zoning book by the zoning officer and he isn't blaming him, he interpreted it that way. He denied the permit based on that. Mr. DeMarco's attorney said according to the book, it should have been given and that's what the zoning board agreed to. Mr. Kulick said his point is, not just for Mr. DeMarco but for anybody, if you

are requesting an appeal because you think the zoning rule was misinterpreted and you win, you shouldn't have to pay for that. Mr. Rood agrees, what if he lost, would he have to pay for it? Mr. Kulick said if he lost, yes because then it is being upheld. Mr. Rood said he agrees and in that case he should, he won the appeal. Mr. Kulick said because he won he shouldn't have to pay for it, if he lost then the zoning officer was right.

A motion was made by Mr. Kulick to allow residents who appeal misinterpreted rulings of the zoning book and win their case to not have to pay the \$500 fee and fees billed to the Borough, seconded by Mr. Napoli; all in favor, motion carried.

A motion was made by Mr. Kulick to reimburse Mr. DeMarco's \$500 appeal fee. Mr. Napoli said what happens now with every person for the last 10 years comes back. Mr. Kulick said there has never been an appeal for the permit. There has been appeals for variances. Mr. Napoli said if this happened in the past and people start coming back to us. Motion seconded by Mrs. Dougherty. All in favor; motion carried.

Meeting Changes: Mr. Kulick said there has been some discussion, at least for the summer months that we go to one meeting a month. Mr. Napoli made a motion for the months of July, August and September to go to one council meeting a month, on the third Thursday of the month, seconded by Mrs. Stephens. All in favor, motion carried.

The next meeting will be July 19, 2018 at 7PM. There will be a special meeting for the purpose of the summer activities hiring on July 5, 2018.

Sesquicentennial: Mr. Kulick said this will eventually be a major event in Jermyn. He knows Bruce has had some meetings. Mr. Kulick said he would like to have somebody to make a motion, we should make this an official Borough thing and appoint Bruce as the Chairman of the sesquicentennial and at the same time budget \$1,000 to work with to do advertising and give him authority to appoint sub-committee's that report to him and in turn Bruce report to us. Mr. Markey said as far as the Sesquicentennial committee and former Mayor Smallacombe appoint as the chair, it doesn't have to be a motion, you can appoint as Council president. Mr. Kulick appointed Bruce Smallacombe as the General Chairman of the Jermyn Sesquicentennial Celebration. Mr. Kulick said Bruce is trying to organize a couple of meetings.

New Business: Mrs. Wilson said September 16, 2018 the four committees that hold the Variety Show, its on a Sunday, they have to fill out the form for the gym. They are looking at Sept. 16, 2018.

Mr. Markey asked Mrs. Wilson about the First Aid Centennial Scholarship. Mrs. Wilson said back in 1999 when we had a 100-year celebration of the first aid in Jermyn. At that time, Mrs. Wilson was on the committee, the history was written up by Mr. Tomaine and we sold ads. The kind of ads we wanted was people who had a history of Jermyn. The book raised a lot of money. Everyone was told that after all the bills were paid, the left-over money would be used to move the first aid monument to the position that its in now. The remainder of the money would be invested into the First Aid scholarship fund. Mrs. Wilson its \$9,000 that is now invested. This year, what they tried to do is only use the interest. Mrs. Wilson said they tried not to get into the principle. This year Lauren Cunningham was presented, you have to be from Jermyn in order to receive it and you

must be schooling in a medical field, in past years they had EMT's, they were going to school for EMT, nurse's aides, but you have to be in the medical field. Lauren received \$300., that was the interest that was earned. Every year the committee meets and they let the school district, tell them what they want, this way there is no favoritism.

Mr. Markey said he was just wondering about it because he has never heard of it before. Mrs. Wilson said it has been since 1999. Mr. Markey said it's a separate committee altogether.

Council went into executive session at 8:56pm. Council reconvened at 9:52pm.

A motion was made by Mr. Napoli and seconded by Mrs. Stephens to adjourn the meeting at 9:52pm. All in favor; motion carried.