

Jermyn Borough

Council Meeting

3/19/20

The Jermyn Borough Council held a council meeting on Thursday, March 19, 2020 at 7:00 pm in the Gymnasium of the Jermyn Borough Building, 440 Jefferson Ave, Jermyn PA.

The meeting was called to order by President Frank Kulick with the Pledge of Allegiance.

On roll call, the following members were present: Frank Kulick, Kristen Dougherty, Jennifer Schreiner, Cynthia Stephens, Kevin Napoli, and Carl Tomaine, Robert Hunt. Mayor Fuga, Isabella Brown, Stanley Hallowich, Bob Chase, Tony Grizzanti from KBA, and Jim Perry were also present. Attorney Aquilino was absent.

Minutes: A motion was made by K. Napoli to accept the minutes of 3/5/20 as presented. Seconded by K. Dougherty. All in favor, motion carried.

Bills Payable: A motion was made by K. Dougherty to pay the bills as presented. Seconded by C. Stephens. All members in favor, motion carried.

Fire Companies: F. Kulick explained we sent a letter out to both fire companies asking for a response by tonight's meeting regarding the banning of alcohol in the fire companies. Artisan responded with a letter stating they were not able to have a March meeting due to lack of quorum, but had questions about the letter. The letter from the Crystal Fire Company sent by Captain Allan, outlined a list of procedural changes that will be voted on at their April meeting, including a banning of alcohol. His suggestion was to provide a copy of that letter to the Artisan Fire Company to review, and perhaps, follow suit. He stated in addition is sexual harrassment and internet policy language. B. Chase stated there were questions about the letter, which is why there are many members of Artisan at the meeting tonight. F. Kulick asked what questions. B. Chase stated about notifying the borough about alcohol during rentals, and also about no fire company members being present at rentals that are supplying alcohol. K. Napoli stated we didn't want members throwing parties for themselves, or otherwise supplying themselves alcohol at the building. B. Chase stated the fire company carries the liability, and they need to protect that liability, so he makes sure that no intoxicated persons are responding to fire calls. B. Chase stated he cannot find anything in the Jermyn Fire Department SOG's or any law or ordinance where the borough has the right to determine what happens on private property? K. Napoli stated the reason we're asking to have parties with alcohol reported is because a few bad apples spoil the bunch, and with that in mind, it's 2020 – alcohol should not be inside the fire department. A member from Artisan stated it was only one company. Another member stated it's their own time, and we can't tell them what to do on their own time. Another member stated the Artisan is in compliance and all the alcohol is out of the firehouse. Artisan President Jeff McDermott stated that each renter signs a contract, that releases liability. Further discussion took place between the council members and the fire company members. A member asked about renting the hall themselves, and a lot of the company members are his friends. They are not able to have alcohol? F. Kulick stated just notify us that you're having a party and you're out of service. K. Napoli stated we're not trying to punish the fire companies, but rather we're trying to work together to make sure that everyone is protected. B. Chase asked what happened there with the other fire company that could bring liability upon the borough? K. Napoli stated nothing now, because all three plead guilty. Had they not, there could potentially be legal action against the borough. Further discussion took place. K. Napoli asked if

any of the fire company members had any further questions about the alcohol issue? They did not, but a member stated if there are any issues with the Corona Virus that they could help with, just let them know.

D. Markey advised the public that the EMA Director will provide a Corona Virus update for whoever wants to stay. J. Perry introduced himself, and advised he is the new EMA Director for Jermyn. He has prepared information for council and the public. He advised that Mayor Fuga executed a proclamation of a state of emergency earlier in the week, and council must adopt a resolution within seven days to extend it. D. Markey stated we have that resolution prepared for tonight. J. Perry stated he send the state of emergency proclamation to the county. The county provided some masks, sanitizer, and gloves to local police departments. Chief Arthur has measures in place to protect the police, and Chief Hallowich has measures in place to protect the firefighters. EMS has protocols in place to deal with the outbreak. Mayor Fuga has directives put out for police responses. Non-essential services, and non life sustaining services are to be closed. J. Perry gave directives for the cleaning of the borough building, and stocking of supplies. He also stated that if people are quarentined, they can call stores for food, and maybe have someone pick it up for them. If we need to use virtual meetings, we can use Go To Meeting or Zoom. D. Markey stated to teleconference in, there needs to be a physical quorum at the building. J. Perry states he believes that is waived due to the state of emergency.

Public Comment: Chris Rood asked if there was any word on the grant yet about his sewer problem? K. Dougherty stated we haven't heard anything yet. She stated that with the state of emergency, we don't expect to hear anything soon.

Correspondence: F. Kulick read a letter from KBA regarding the Rushbrook Creek project in regards to a call they had with the Lackawanna County Economic Development Team about extending the state grant for the county. F. Kulick stated we will be meeting tomorrow with a teleconference with the DEP and Corps of Engineers.

Parking Lot Paving Bids: F. Kulick opened 13 sealed bids, and the results are as follows:

Mihalka Trucking:	\$102,640.
Andrew Baldan Construction:	\$99,700.
American Asphalt Paving:	\$11,260.50
Pioneer Construction:	\$114,023.
M&J Excavation:	\$110,700.96
Kobalt Construction:	\$127,708.50
Rock Bottom:	\$102,308.
Bob Miller Construction:	\$112,407.10
Leeward Construction:	\$108,801.
Wayco Inc.:	\$98,400.98
T. Brennan:	\$125,055.42
Stafursky Paving:	\$97,736.30
H&K Group:	\$113,532.80

F. Kulick stated we have a problem, in that we only have a \$50K grant. D. Markey stated that after speaking with Dennis Kutch, we may be able to remove the catch basins from the parking lot, since the bidding was completed by unit. T. Grizzanti stated that the estimate was around \$103K, so the bids shouldn't be a surprise. F. Kulick stated maybe we can speak with Senator Blake and see if we can get other funding for the parking lot. D. Markey stated that the low bid for tonight is Stafursky Paving at \$97,736.30. T. Fuga states removing the catch basins would lower the cost by about \$10K. T. Grizzanti stated if the parking lot needs to be graded differently, that could bump the cost up also. F. Kulick gave the bids to T. Grizzanti to review. K. Napoli asked if there's any way we can put this out to bid and state we only have \$50K to bid? D. Markey stated this was discussed last year and decided it wasn't a good idea.

State of Emergency Resolution: F. Kulick read the resolution to extend the State of Emergency that was put in place by Mayor Fuga's Proclamation on March 17, 2020. A motion was made by K. Dougherty to pass Resolution 05-2020, extending the State of Emergency in Jermyn Borough. Seconded by C. Tomaine. All members in favor, motion carried.

New Business: K. Napoli made a motion to accept the resignation of Duane Miller from Jermyn Fire Police due to medical reasons. Seconded by J. Schreiner. All members in favor, motion carried. F. Kulick advised to thank him for his service.

K. Napoli stated we should come to an agreement to no longer hold public meetings until the state of emergency is over. K. Dougherty asked if we are allowed to cancel the meetings, or if we should use a service such as Skype. We need to have the public be able to sign into the meetings. D. Markey stated he will check with the PSAB in the morning to see what needs to be done, and will let everyone know. F. Kulick stated to let the Jermyn 150 committee know that the banquet will need to be postponed. D. Markey asked R. Hunt if he would let the hall know? R. Hunt stated he would. J. Schreiner asked about the jake brake situation on Rushbrook St. T. Fuga stated interstate commerce and trucking need to get through safely in this state of emergency, so that law will not be enforced currently. The police have many other tasks during this emergency, and checking for jake brakes will not be a priority. T. Fuga stated if anyone wants to talk to him about it, he will speak with them. R. Hunt stated it's downshifting anyway, not jake brakes. T. Fuga stated he is exactly right.

F. Kulick advised everyone to be safe and help your neighbors if you can. Do what's best for yourself and your families. D. Markey advised that once everyone leaves again tonight, the doors will be locked back up. The building is not open to the public. He stated to let him know if anyone needs anything. He will do whatever is needed to continue borough business, but the doors will be shut and locked. K. Dougherty asked if we can stop permits from being issued, etc. D. Markey stated with tonight's order by the governor, all construction is to shut down, so people probably won't come in for permits anyway. B. Chase stated they'll still call and he refers people to the website to download the form.

Adjournment: With no other business to come before the meeting, a motion was made by K. Napoli to adjourn, seconded by C. Stephens. All in favor, motion passed. The meeting adjourned at 8:02 pm.

Respectfully submitted,



Daniel Markey

Borough Manager