

Jermyn Borough  
**Council Minutes**  
April 5, 2018

The Jermyn Borough Council held a council meeting on April 5, 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: Kristen Dougherty, Frank Kulick, Dan Markey, Kevin Napoli, Cynthia Stephens and JoAnne Wilson. Also present were Mayor Fuga, Atty. Aquilino, Ray Rood and Bob Chase. Absent were: Joseph Smith and KBA

**MINUTES:**

A motion was made by Mr. Napoli and seconded by Mrs. Stephens to accept the March 15, 2018 meeting minutes; all in favor, motion carried.

**Presentations:**

**EMA Award:**

Mr. Napoli said when he first started at the fire dept. at the Crystal Fire Co., there were older members that were always around to help out and always gave their two cents in that were extremely valuable. Ralph Bensing was definitely one of those members. Mr. Napoli said he thought it should be acknowledged and celebrated for his 50 years of service to Jermyn as a fire fighter, fire police and EMA director. Mr. Napoli and Mayor Fuga presented Ralph with a plaque. Council thanked Ralph for his service.

**Little Free Library:**

Mr. Markey said his wife Katie, whose here tonight, there is very few things that she loves more than she loves reading. With more and more people turning to screens and e-readers and everything like that, last year she came up with an idea and its an idea for the entire town. With the help of DPW, Mayor Fuga, Joe Esagro and with the artistic stylings of Lindsay Miller, we helped make Katie's dream come true.

Mr. Markey presented to the Borough of Jermyn; Jermyn's very own Little Free Library. DPW made two of these, this one is finished and the other one is getting painted. The concept is a free take a book leave a book. Katie will be the library steward. We have registered this with the Little Free Library.com association, it has its own charter number and anybody who logs on to the website will be able to find it on a map. Mr. Markey thanked his wife for making this possible, without her idea this wouldn't happen. Mr. Markey said on behalf of my wife and I, we will present a check to the DPW for their help. This one will be placed with council's permission on the front lawn of the Borough building, mounted on a pole. For nighttime it has timer lights. He would like to invite all resident readers of the Borough, young and old, to contribute to the little free library by taking as many books as you want and leaving as many books as you take.

The second little free library is planned to be constructed at WWI Park on Bridge St. with council's permission. For the second library, we are going to invite all the children of the Borough to come and leave a painted handprint on the library and that is how it is going to be

decorated. We will write the names of the children on the handprint so when they grow up and come visit the library they can easily remember how young they once were.

Mr. Markey formally asked council to accept this gift and for permission to construct the libraries in their planned spots at the Borough building front lawn and WWI Park. Mr. Napoli seconded. All in favor; motion carried. Mrs. Wilson offered a suggestion, down at the WWI Park, would you work with the Shade Tree Commission, they will be more than happy because they like the idea.

*Shaun Markey - 299 S. Washington Ave:* Suggested we should put a sign that says “suggested books” and put a pencil on a string on the little library. When people come they can write down books they would like to have in the library.

Mr. Markey said just to clarify, this would be for children’s books as well, children are welcome and encouraged to take part in the free little library as well.

Katie Markey said Lindsay Miller couldn’t make it tonight and thanked her for the artwork she did on the little free library.

**Public Comment:**

*Kaitlin English- Lackawanna County:* Arts and Culture – Arts Thrive in Carbondale. Artists participating will be able to present their various talents. Saturday May 26<sup>th</sup>, 2018 10am to 3pm, Carbondale, various locations and venues through the city.

4H Information Night at the North Pocono Library – April 24 at 6pm

2018 Scranton Armed Forces Parade Saturday May 19, 2018 at 11am.

*Donna Stackel-* Whoever took the initiative and installed the new pa system, she thanks them very much and she is sure everyone else does. She took a peek into the Borough office and she was totally impressed because it never looked that good. Mr. Markey said Mayor Fuga installed the new sound system, we still have to put some more speakers, maybe some of the ceiling speakers. We had a little issue last night at the County Commissioners meeting, they had us turn our sound system down so they can turn theirs up. Theirs is to record the audio. The audience had a little trouble hearing last night, maybe if we get a couple of those speakers, we can turn this down maybe a little bit.

**Correspondence:**

Mr. Kulick said we received our annual bill for the Lackawanna Heritage Valley, we haven’t paid in 4 years, I don’t suspect we will pay this year.

LCAB has a meeting on Thursday May 17, 2018.

*Letter of Resignation:*

Mr. Kulick read a letter from Mr. Joseph Smith. Mr. Markey made a motion to accept Mr. Joseph Smith's letter of resignation effective April 5, 2018 with regret, seconded by Mr. Napoli. All in favor; motion carried.

Mr. Kulick said we have 30 days to appoint a replacement. Either at the next meeting or the first meeting in May. Mr. Kulick said we don't think we need to advertise it in the newspaper. We can put it on the Borough's Facebook page. Mr. Markey said word will get around enough. Mr. Kulick said anyone interested in applying for the open council position, please submit your letter of intent by April 25, 2018.

Mr. Kulick thanked Mr. Smith on behalf of council for his years of service. Mrs. Wilson said he served approximately 8-10 years. Mr. Kulick said he was our Finance Chairman.

*Letter- Bureau of Waterways:*

Mr. Kulick said it is more red tape. We will talk a little more about the creek project later in the agenda. We had a discussion last night with the commissioners.

**Sewer:**

Mayor said last Friday we had a company come in and run the camera in the Garfield sewer area, where Andy Whitak was having a problem; in that stretch. They found that there is probably about 100-150ft sag in the pipe. Also, the way it was installed, the normal pipe that they use is called sdr and they went from sdr to regular white pvc pipe back to sdr and there is so many joints in there, it's pretty bad. Basically, where they put the white pipe pvc, it's crushing down. Eventually it is going to have to be replaced, now that we know what we are up against, we can put it on a maintenance program to keep it from having problems but eventually it's going to have to be replaced. There should have been oversight when it was put in and there wasn't. Basil Kleha asked how many feet? Mayor said it runs from the one manhole on the first road going up to Raymond all the way down to the corner of Bacon and eventually we will have to do going out to Lincoln too. That isn't as bad as this. He remembers watching the video in front of Ray Rood's, there are sags in there but that one is all sdr pipe, it's not too bad. But this is really a problem because the pipe doesn't even fit the right way.

Lou DeMarco asked if we own all of it. Mayor said yes, we own all of it. There was no oversight when it was put in. Ray Rood asked who was supposed to oversee on the Borough's behalf. Who can the Borough go after that was supposed to oversee it? Mayor said he doesn't know, whoever was involved in the process when it was put in and whoever did it and approved it. Apparently, they must have thought because it was new that there wouldn't be a problem and they just let it go. Mayor said that was the reason why we were having the grease problem because it was a sag and it was laying in there. Lou DeMarco said with the little bit of land that there is left to develop, we should watch. Mayor said it has to be addressed and from here on out we have to have someone inspect these projects whether it is big or small.

Mr. Markey said this also solves the mystery of the grease, it was that big sag clogging it all. Mayor said Mike from American Rooter said it isn't something that has to be done today, we can put it on a maintenance plan but we will eventually have to do something. Mr. Markey said we

have some problems here. Mr. Kulick said the next step in this whole sewer issue is we need to camera the woodlands so we find out what we are dealing with there. We do have the grant for the \$140,000. Once we understand the severity and the problems in the Woodlands, we may try to manipulate that grant a little bit to help us out with the other problem.

Mr. Markey said he said this a couple years ago, with the sewer system that we own, council should look into the idea, we probably can't sell our sewer system because it's not attractive its just a liability. He thinks council should look into the possibility of a waste water management fee, to handle things like this. It's like what we were telling the commissioners last night, we are trying to operate on a \$600,000-\$700,000 budget and now we have underground infrastructure we have to replace. We can't rely on grant, we are applying for everything we can. We should at least entertain the idea. Mr. Markey said he knows that it is going to hurt some people because we can't pick and choose who we charge the fee too and a lot of our residents are using the Lackawanna Sewer Authority. Mr. Kulick said everybody is paying that fee. Mr. Markey said we are going to have to look into something along the same lines, not saying anything big, he isn't saying let's charge \$100/yr. fee. We have to figure something out. We have to look towards the Woodlands, we have a grant for phase 1, are we going to get a grant for phase 2 or 3. If that sewer holds up right now, is it going to hold up 10 years from now. Lou DeMarco asked how many houses are on the sewer the Borough owns. Mr. Markey said we can figure it out because we have maps of the sewers. Even if its 100 buildings out of 900, we can't just go and say these 100 buildings are going to get the fee, we would have to charge it to all 900 buildings in town. Which is the unfair part, but like Mr. Kulick said even if you are using the Borough sewers, you are still paying your waste water management fee to the Sewer Authority.

Mr. Markey said it is something we should think about. He wanted to look into the idea of possibility selling our sewer system. The former solicitor put his feelers out and there wasn't much of an appetite for that because it's not really an attractive sale. Its not really an asset because it doesn't come along with a fee or anything like that. Mr. Kulick said we will have the solicitor look into what is required for the fee.

### **Roads:**

Mr. Markey said everyone knows what kind of shape Jermyn roads are in and everyone knows what kind of shape Jermyn roads were in 2 years today when we were longing for a big paving project which we got towards the end of 2016. Now our newer roads, because of the harsh winter and the freezing and thawing, we are starting to see some cracks. With the road conditions and the shape that they are in right now, he thinks we are in a pretty good spot right now. Mr. Markey said he thinks we need to continue to go down that path of being at a good shape with these roads. Roads are probably the Borough's biggest asset and they are probably the biggest complaint when they are not good. In order to keep them running smoothly, a lot of times what the DPW will go out and do is they will go out and try to seal the cracks with tar.

The tar buggy and the system that we currently have, we do have a tar buggy that we bought a couple of years ago. We have some pour pots that the DPW uses. The tar has to heat up to around 400 degrees and then these guys are out dumping the 400-degree kettles on the roads. Mr. Markey said Mrs. Dougherty is in Human Resources and asked if that is a huge liability. Mrs.

Dougherty said yes. Mr. Markey said in the eyes of safety that is not good at all. We could open ourselves up to some big workers comp. claims if anything ever went wrong.

Mr. Markey said he wants to propose is a crack sealer that we have actually been looking into here. Mr. Markey said the mayor took a walk a couple of weeks ago and took a bunch of pictures of the cracks and in some of the newer roads. Mr. Markey passed around pictures. Mr. Markey said this would use about half the tar we are currently using. When we buy tar by the pallet, it would get us twice as far as it currently does. We waste a lot of tar with the way we currently do it. If we have this wand with this crack sealer we are able to regulate and fluctuate how much tar we are putting in there. We are sealing the crack right then and there with the wand. Mayor said it does a better job because right now when we do it, we are just getting it into the crack but you should overlay it. To do it the right way a tar kettle like what we have, you would need 4 people because you have to have someone pouring it, cleaning out the cracks and somebody going around and squeegeeing all the cracks. It is very labor intensive and time consuming. With the new ones you can control the temperature. Mr. Markey said it is time to start investing in road maintenance a little bit better and more. We looked into some of these crack sealers and we decided that Stephensen equipment, who we also just leased the new backhoe from and purchased the new chipper from. They came in with the best price.

It is a 75gl. Kettle, right now the price is \$30,591.00. There is a couple of different avenues we can go, we can purchase this over the course of 5 years, which we are given terms that he handed out to everyone. 3.75%. The Annual payments would be \$6,584.71. He crunched some numbers as well and even though this was not included in the 2018 budget, we still have an excess surplus in our liquid fuels account of over \$65,000. That is allocated for things exactly like this, to take care of the roadways. There are two different ways we can go, we can finance it or we can just purchase it outright. The borough secretary stated we can only use 20% of what we get per year on major equip. purchases but will ask to verify. Mrs. Dougherty asked if the amount rolls over each year if we do not use it. Mr. Napoli asked to look into that.

Lou DeMarco suggested to get the roads tested that were just paved. Lou DeMarco said something is wrong for the roads to fall apart. Any work we do, our spec book is written in accordance with the 408. We are going to spend \$30,000 to repair it but spend \$3,000-\$4,000 to look into it, there were two types of inspections – visual and mechanical inspections. Its not fair to us \$500,000 and we are going to spend \$30,000 to fix it. Mr. Markey said he isn't just talking about those roads. Lou DeMarco asked who did the work. Mr. Markey said Wayco. Lou DeMarco asked if anyone called Wayco and ask them to come down and look at it. Mayor said that is a step we have to take, it was just noticed a couple of days ago. Madison was the worst of them all. Mrs. Wilson said if we don't get a proper answer on what we want to hear from Wayco, we can go further. We still need something for our other roads. Mayor said you have to do the maintenance, maintenance is the key. It's sad this didn't happen years ago; the equipment wasn't provided years ago. They probably would not have been in bad shape as they were, we are trying to look towards the future and keep it from happening again. Your roads are an investment, you want to take care of them as best you can.

Ray Rood asked if there is something we can borrow from someone else. Mayor said he doubts it reason being because, Throop just got one not to long ago, they got a bigger one probably \$60,000. He doesn't foresee them wanting to send out their equipment to anybody to use. The

damage and liability. We did look at where we can rent one but by the time you are all said and done you are looking at almost \$5,000 for the week, you aren't going to get all of your roads done in a week. Mr. Markey said that is almost our first year's payment. Mayor said its better in sense to own them on your own. We looked at all the angles. He looked at used ones and they are still expensive and you do not know what you are getting. If they have problems you are looking at big money to fix them. Mrs. Wilson asked what about Archbald, do they have one? Would we even consider the two Borough's purchasing it? Mr. Markey said he thinks if we purchase something with Archbald, it will stay in Archbald. Mayor said they have more roads. Mrs. Wilson asked about Mayfield. Mayor said if it breaks when Mayfield had it, Jermyn is spending to fix it. Mr. Napoli said you don't know what they are doing with it over there. Mayor said how we take care of something they may not take care of it the same.

A motion was made by Mr. Markey and seconded by Mrs. Dougherty to purchase the 2018 crack sealer from Stephensen Equipment 5-year terms as listed. All in favor; motion carried.

#### **Woodchipper:**

Mr. Markey asked the solicitor to draw up a release of liability to the buyer. The woodchipper was put on Municibid. A motion was made by Mr. Markey and seconded by Mr. Napoli to sell the 2003 8" woodchipper to Thomas Doley in the amount of \$4,100. Mrs. Stephens asked if he is to come and pick it up. Mr. Markey said he is coming to pick it up and will give us the check before he does. All in favor; motion carried.

#### **Business Ordinance:**

Mr. Kulick read aloud the business registration ordinance. Bob Chase said he was never contacted in regards to emergency services. Ray Rood asked what type of business. Bob Chase said so if someone is a little pc repair shop on the side in their basement, its them too? Next year it will be \$50.00. Lou DeMarco said he owns a real estate company and his address is where he uses to get mail and tax bills, he's a business in the borough and has to pay \$25.00 to register? Is that how it is interpreted? Solicitor said its going to be someone who does business out of the Borough. Someone who uses Borough roads if something is going to burn down, your fictional company isn't going to require any specific Borough services. It's the use of public services. Ray Rood said he has an office in his home, he pays taxes in town, is he going to get taxed again, does he have to pay a fee. The solicitor said we are talking about shops. Mrs. Dougherty said if you have people coming into your business like a retail shop. Mr. Markey said we need to add a section to definitions adding businesses.

Mr. Kulick said the idea is that we want to know what businesses are in town so nobody just comes in and opens some kind of shop and they are in business without a notice. We don't know what they are doing, we don't know what business it is or what they are selling. Bob Chase said it is already in zoning for that, you can't open up a massage parlor in your house, that violates zoning ordinances. It would be shut down immediately. Mr. Kulick said it might violate the

zoning ordinance but it doesn't mean we understand what kind of taxes should be collected from that business, its one thing to be able to pass the zoning rules but to put a business in like a massage parlor or whatever that's one thing, its another thing for the Borough to understand what the business is. We have a right to know that. Mr. Chase said it is something that can be amended in the zoning ordinance, its already in there under what you are allowed to have and not have, based on the community, zoning hearing or conditional use. That is all in there, you can simply make an amendment to the zoning book that is just for simple state of a use permit. Right now, somebody wants a business and its approved its just a matter of me saying yes, its not a matter of applying for a zoning permit because the way its worded. In other towns it's a use permit, you have to get a permit for a use and have to establish that same criteria. Mr. Kulick said that is what we are talking about. You go to most of the towns and you walk into a business place and they have a license or permit from the Borough. Does anybody in Jermyn have that? Issued by the Borough of Jermyn. Mr. Chase said its not in the zoning, it needs to be amended.

Mr. Kulick said this town has a right to know what is going on. Mr. Chase said it should be established through zoning because that is what it is under, it's a one-time fee. It shouldn't be something that is every year, or possibly increased like what we went through with the rental properties, it was a \$10 and now it is \$40. Lou DeMarco said you guys may not up it but it leaves other members of council in the Borough to do it. Mr. Kulick said its not the \$25.00, how many businesses are in town, we aren't going to generate a million dollars in revenue. Somebody shouldn't just be able to walk into town and hang up a shingle and be in business, it shouldn't happen like that. Whether it requires to change the zoning then change the zoning. It's not the \$25.00. Mrs. Wilson asked if beauty shop is considered a business? Mr. Markey said I would say so, its different from Ray's. Ray has customers come into his business so does the beauty shop but the beauty shop also has chemicals and dyes that when the police and fire dept. go in there, they kind of need to know what they are dealing with. Lou DeMarco asked how we are going to identify all these businesses to register them, the honor system? Mr. Napoli said we thought that is what would be achieved by the \$25.00 fee, basically yes, the honor system.

### **Shade Tree Ordinance: Amending**

L1. Upon notice to the Landowner by the Borough and/or its designee, the Landowner shall trim, remove, or otherwise maintain trees or other vegetation within thirty (30) days of said notice.

L2. If the Landowner does not comply with Section L1 herein, the Borough, DPW, and/or its designee may complete the required and/or recommended trimming, removal and/or maintenance, the cost of which will be charged to the Landowner at the rate of \$100 per hour.

Mr. Kulick said if there is a problem with trees or vegetation on your property and you are instructed to fix it, you have 30 days to fix it. You can hire your own person, if you don't do it, we will do it and will charge you for it.

A motion was made by Mrs. Wilson to accept and advertise the amended Section L1 AND L2 shade tree ordinance #5-03 as amended, seconded by Mrs. Dougherty. All in favor; motion carried.

Mrs. Wilson asked about Section A. is wrong on this one. It should be 7 members. That was the original then we amended the next ordinance.

**Recycling Ordinance:**

A motion was made by Mrs. Dougherty and seconded by Mrs. Wilson to pass ordinance 7-18 Recycling Ordinance. All in favor; motion carried.

*Fee Requirements Zoning hearing* – If you file an appeal for the zoning board it is \$500 plus costs and if you have to file with the court of common pleas, you do not pay for the Borough's legal fees.

*Grants:* We have the grants coming up, one for the truck and one for the sewer. We have to pay for it first and then get reimbursed. We are looking at various ways. Mr. Kulick said the easiest way is a revenue anticipation loan. We go to the bank and say we have this grant and we need the money and we pay them pay back within 60 days or whenever it is. Its not a loan so we don't go through the state.

*Summer Gym Attendant:* Mr. Kulick said last year in the budget we included for this year some funds to hire a college, preferably college or it could be high school kid to man the gym. We want to hire someone that can be creative and do some crafts and help the kids. We give preference to Jermyn resident. Mrs. Wilson asked if it was 5 hrs. a day. Mr. Kulick said he would have to look it up.

*Garbage fee violators:* Those who have not paid have been given notice, if your garbage isn't picked up tomorrow that means you didn't pay your garbage bill.

**New Business:**

Mrs. Wilson said we now have Vonage for our main telephone in the office, she doesn't see any advantage over Adam's. The police dept. has Adam's. Mrs. Wilson said she would really like to go back to Adam's, maybe we can get a discount and put our phone system on Adam's. We can have a hard copy/fax machine which we have plus the e-fax. Mrs. Wilson said she thinks we get more services from Adam's than we do Vonage. Mr. Markey asked what services we get from Adams that we do not get from Vonage. Mrs. Wilson said when we have a problem they are here much faster and the police dept. hasn't had any problems with faxes or phones. We can possibly get a discount. Does the fire dept. use Adam's in any way? Mr. Napoli asked if we are having issued with Vonage? Mrs. Wilson said she thinks it's a horrible system, the phone in the Lions/Legion Room doesn't work, a lot of times if you don't have your cell phone you can't call out and that phone you can locally call out on. The tax collector she's there, that phone is usable. Ray Rood said when the office calls me and I answer and he tries to call back at that number it doesn't work. Mrs. Wilson said you can not call back on that number. Mr. Napoli asked if we are having problems with the fax. The Borough secretary said only last year when someone needed to fax in an emergency they couldn't fax, other than that no. Mrs. Wilson said she likes Adam's. Maybe if they cooperate with us we can get a reduced price. Mr. Markey said I think we switched because we were saving money. Mr. Napoli thought it was a significant amount we were saving. The police switched over to Adams. Mrs. Dougherty asked why the police changed.

Chief Arthur said because there were issues with our fax. Mrs. Wilson said she thinks having it with one and trying to get a reduced rate would be feasible.

Mrs. Wilson said before Cara came we did have a multiple screen and since been moved over to the police dept. and she knows why and that is fine. It is terrific right where it is. She's in this building by herself the majority of the time, if its not a lot of money, she should have a split screen that she can see who is coming in the front door and the side door because she is here by herself. At least she can get up and lock the door. Mrs. Stephens said it is a big building. Mrs. Wilson said she doesn't know how much it would cost or if there is a problem running a wire from the main box to the office. Mrs. Wilson said she thinks it is a safety problem. Mrs. Dougherty asked what screen you are talking about. Mrs. Wilson said the security monitors. Mr. Markey said if your interested in her safety maybe we should replace the Borough office door with one of the clear glass ones like we got for the front and side doors, then she will be able to see anyone who is coming. Mrs. Wilson said being in the office alone all day. Mr. Markey said where the monitor was at when Debbie was in there she wasn't able to see anything unless she was directly looking at it the whole time. Mrs. Wilson said she was able to see it when she was in there. It was on top of the cabinet. Mr. Markey said you can't be looking at your computer your looking at the side all day. Mrs. Wilson said it flashes. Chief Arthur said he thinks the old wire is still over there, you probably just need a monitor.

Mr. Markey said he received a complaint today about the timing on the traffic lights at the intersection. They told him they were coming down Washington at the light going towards town, they were stopped there at that light and then they got the green and as soon as they got the green there was a truck coming down from rt 107 getting ready to go up to rt6. His light turned red instantly and he didn't have time to stop and blew through the red light. This person said if they went when they light turned green they would have got hit. They said the truck was not speeding. The light going from north and south on 107, it is red way to long. Mr. Markey asked Chief Arthur if there issues with timing. Chief Arthur said he has not noticed it himself. Mayor said that whole intersection is on us, even the timing. We would have to get someone who knows what they are doing to do the timing but that is all ours.

Mr. Kulick said he believes we are in a position to ready to submit the grant for the gym floor. Mrs. Dougherty said she wants to have Dennis tell her he's comfortable with this quote, his only concern was knowing they are COSTARS he doesn't feel like they would have any fees associated with the project. He wasn't comfortable with it not addressing the increase in the floor height. Mr. Markey asked when the deadline is. Mrs. Dougherty said May 30.

Mr. Kulick said the finance committee with the departure of Mr. Smith, he is going to appoint himself to that committee and he will chair that committee.

Mr. Kulick said there will be detailed story in the paper tomorrow regarding the rushbrook creek project. He spoke with the reporter today. As he mentioned to the Commissioners last night, asking for their help he isn't sure what they can do. They suggested to call a meeting with Senator Blake. We have had lots of meetings. We have some detailed letter here. Mrs. Dougherty

said that was the letter they had to have in by March. Mr. Kulick said which means to me like we need a bunch of more stuff. The best case scenario, the last time they talked about it was 2021-2022. Mr. Kulick said its his view that it may be time to try and force the hand of somebody to do something different, we can not wait for this project and by the time it happens we will not be able to afford to pay for it, grants aside. We have the \$385,000 in grants and Senator Blake has publicly stated that he would help get funds to pay for whatever else the Borough has to come up with. It also means that we have an ongoing obligation going forward to maintain that, \$15,000 a year deal. Mr. Napoli said the \$385,000 that was put aside for us, the cost to do that by 2022 would cost over \$650,000 instead of \$385,000. Mr. Kulick said when and if the Commissioners call that meeting he is going to ask some people to come along and he would like to see them look at some other alternatives.

Mr. Kulick said go and clean everything on top up. Do we need to incur all these costs and do we need to sit another 5 years with the situation with the way it is and there is no guarantee it will be done in 2022. He is almost willing to bet it won't, it will go on forever. The next 100-year flood will be here. He thinks we need to look at something be done at the upper end. He wants the solicitor to look into us backing out of our sponsorship agreement. Ray Rood said a lot of the problem is the upper end, it needs to be cut and cleaned.

Mr. Kulick said he thinks its time we look at other alternatives. You drive up going towards Heart Lake, just look at it. You look at that creek, its terrible. Mayor said you have to remember, once this project goes through it is going to protect us from a 100 year flood event but if we get a 150 flood event, we are back in the same boat. When he was still on council, he asked that question and they said there is no guarantee even with a 100 year event. Everyone is going to get a false sense of security. Years ago one of the options DEP came up with was a dry dam at the site of where the old dam was up there. A lot of people didn't like that idea because of the maintenance aspect of it. As this progressed more, what you have to understand is if they do this project, the maintenance is going to be ten times worse here than it would have ever been up there. Mr. Markey said and it all falls on us. Mayor said when they put that trash rack up by the tan bridge, we are going to be responsible for that. Every highwater event we have, that trees, sheds etc. flows down is going to block that and the concern he is when that happens is it going to cause more flooding, we do not know. The dry dam scenario would probably be a better scenario for us. Mayor said he doesn't see concrete walls being the answer, unless they do something up there. Mr. Napoli said when r. Kulick stood up and spoke with the Commissioners, Gary Cavill stood up at the podium and Commissioner O'malley asked what the holdup is on this process and he gave two reasons, DEP and Jermyn still has to acquire easements. Mr. Napoli said he asked the gentleman from DEP to his face is Jermyn holding this up in any way shape or form and he said no. The County said no. They both told us it was the Army Corp of Engineers getting back to DEP holding this up. Mr. Napoli said what makes him upset is that he really doesn't think any one is talking to anyone.

Mr. Kulick said as far as the financial part of this, its nice that Senator Blake stood up and said he would help us get whatever money we need, by the time this starts he probably wont even be the Senator.

Mr. Napoli made a motion to adjourn the meeting at 9:15pm, seconded by Mrs. Wilson. All in favor; motion carried.