

Jermyn Borough

Council Meeting

2/21/19

The Jermyn Borough Council held a council meeting on Thursday, February 21, 2019 at 7:00 pm in Council Chambers of the Jermyn Borough Building, 440 Jefferson Ave, Jermyn PA.

The meeting was called to order by Vice President Kristen Dougherty with the Pledge of Allegiance.

On roll call, the following members were present: Kristen Dougherty, Jennifer Schreiner, Kevin Napoli, Carl Tomaine, Joanne Wilson, and Cynthia Stephens. Attorney Aquilino Mayor Fuga and Bob Chase were also present. Frank Kulick, Ray Rood, Ann Marie DeSanto and KBA were absent.

**Minutes:**

A motion was made by K. Napoli to accept the minutes of 2/7/19 as presented. Seconded by C. Stephens. All in favor, motion carried.

**Correspondence:** None.

**Public Comment:** None.

**Reports:**

**Police Chief:** Chief Arthur reported the police have been working on parking enforcement during storms. He pointed out that the last big storm we had, the Washington Ave. parking ban worked out well. There were a lot of compliments from residents and business owners. This was the first time we were able to implement that, and there was a positive response.

The bears are back, and the game commission won't be doing anything unless they harm humans. They recommend to remove the food sources for the bears.

Illegal solicitation without a permit has been happening lately, and if anyone sees anyone going door to door, call the police so they can check it out. In the past couple weeks, resident contacts to the police regarding suspicious persons have increased. Chief Arthur noted that if someone contacts them via Facebook, confidentiality is protected, and the public won't know who contacted them. A resident contacted them because a neighbor's mail was piling up, so the police did a welfare check, and he was happy that the people that called saw that red flag. He would like calls to continue if anyone sees anything out of the ordinary.

There have been many reports of mail issues in Jermyn. Mail has been not delivered, or not getting into the mail system. The Chief said it's possibly a carrier issue, and even the borough had issues where we sent a lot of mail that didn't get to where it needed to for a few months. He heard people talking about getting late notices on bills they sent out. The post office assured us that the trucks get cleaned out nightly, but the Chief would like anyone having issues with mail to contact the Postal Service and report it.

House watch checks continue, so anyone going on vacation can notify the police to watch their house. Church detail and school bus stop checks continue. School bus stop violations have decreased since a few people were cited and lost their licenses, and he believes word gets around that way.

**Treasurer's Report:** D. Markey gave the treasurer's report:

**Jermyn Borough**  
**Balance Sheet**  
As of February 21, 2019

: Feb 21, 19 :	
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
DPW Capital Reserve	30,026.58
General Fund - Community	52,917.76
Holiday Lights	3,370.20
Investment - General Fund	1.39
Investment - Liquid Fuels	44,551.41
Investment - Paving Fund	11.57
Investment - Recycling	1.33
Investment - Refuse	2,524.58
Petty Cash	166.01
Recycling - Community	8,176.86
Refuse Checking - FNB	43,117.16
Shade Tree Commission	15,334.86
100050 · FNB General Fund	399.98
100052 · Liquid Fuels - FNB	10,525.86
100053 · Refuse - FNB	0.01
100125 · Crime Watch Account	752.59
100800 · Jermyn Recreations Commission	16,396.86
<b>Total Checking/Savings</b>	<u>228,275.01</u>

Profit & Loss for February MTD. Income: \$44,832.94, Expenses (including payroll): \$44,364.02, giving a net income of \$468.92. D. Markey reported that with Quickbooks, there are a lot of different reports we can setup, and he can discuss with Council and the Finance Committee about what reports everyone would like on a monthly basis, after he receives free Quickbook Trainings from DCED. J. Wilson asked if everything can be broken down by department. D. Markey stated yes, there is reporting on the back end, and we can pull many different reports, and council can decide if they want that in the monthly treasurer's report, or somewhere else. A motion was made by C. Stephens to accept the treasurer's report and pay the bills presented, seconded by C. Tomaine. All in favor, motion carried.

**Fire Chief:** K. Napoli reported that Chief Rood received his lung transplant on February 14, 2019, which is also National Donor's Day. He is feeling great, and should be home tomorrow, only seven days removed from the transplant. The council and audience applauded. K. Napoli stated Chief Rood would like to thank council for their thoughts & prayers.

**Zoning:** B. Chase reported he stopped the fence constructors and advised them they need a zoning permit for the fence on Bonnie Dr. He asked D. Markey if they submitted anything today. D. Markey stated no. Chief Arthur asked when they come in for a permit, can we ask them for a key to the fence also? D. Markey stated he will request one.

**Mayor:** Mayor Fuga read a Proclamation which proclaims April, 2019 as Pennsylvania 811 Safe Digging Month in Jermyn.

**Engineer:** Absent

**Tax Collector:** Absent

**Solicitor:** W. Aquilino stated he will sign and send the USDA legal services agreement. He has been requested to secure bond counsel, and has narrowed it down to two possibilities. He noted a false alarm issue in the borough, and D. Markey stated it's currently being handled. He will speak with the borough manager regarding taking some property owners to the District Magistrate. He will also speak with the borough manager regarding sending a letter to Carbondale Township regarding the log jam in Rushbrook Creek.

**Code Enforcement** : W. Aquilino asked if there was anyone present regarding code violation issues. Shirley McKeel, 616 Washington Ave. came forward. She was given code enforcement paperwork last year. Everything except for three items have been completed, however her daughter passed away in September, and the estate attorney is fighting her. W. Aquilino stated he was dealing with Attorney DeLuca regarding the bankruptcy situation, and has not been responding to Mr. Aquilino. Mrs. McKeel states the property is now listed in the Trust of Charlett Mollis. An attorney for the owner's daughter, who resides in Canada, has stepped back in, and demanding all rent on the property. The attorney is Christopher Jones. Mr. Aquilino asked if her daughter's estate has been settled yet. She is unsure, but Attorney Jones is the estate lawyer. Mr. Aquilino asked if she had applied for a rental permit yet? She stated no, because she's unsure as to who should apply for it. He asked if the property is in arrears for taxes? She stated yes. He stated he will get in touch with Attorney Jones, and start working on it. He will be in communication with Mrs. McKeel.

W. Aquilino stated that the owner of 106-118 Rushbrook has been in communication with him, and repairs are under way. He asked D. Markey if they have applied for UCC permits? D. Markey stated no.

Mr. Aquilino has been in communication with Stephen Brosky of 511-513 Washington Ave, and he will meet with him next week regarding continuing repairs.

We have been making progress with property owners regarding snow removal, and bank owned properties have been in contact with us as well. 433 Delaware in particular has been in contact, and we are working with rectifying issues with property maintenance.

**Planning Commission:** K. Napoli reported that the planning commission has been meeting, and they, along with zoning officer, have worked out sub-division of Woodlands, as well as the Battenberg property on Gibson St. Mr. Chase stated that we found the subdivision and land development ordinance that he has been looking for. He said people often call him asking for copies of the book. D. Markey stated to have people call him for copies.

**Recreation:** D. Markey reported we have Lakeland Youth Basketball season going on, birthday parties have gained attention due to the low rate of \$20/hour, and we have booked other events in the gym as well. D. Markey asked the solicitor about bounce houses, and the answer was as long as a liability waiver is signed, there are no issues. K. Dougherty asked if there needed to be different language than the summer program waiver? W. Aquilino stated there shouldn't need to be a different one. D. Markey will send him the waiver language. Mr. Miller asked for and received a purchase order from the borough, and asked about available dates. D. Markey told him they could start right after Memorial Day. Randy Parry is working on some solutions regarding a gym floor cover once the floor goes in, which may include additional donation requests. K. Napoli asked about Sherwin Williams coming in. D. Markey stated they came and did some measurements, and we're still waiting for the estimate. D. Markey stated we visited Sherwin Williams, in which the manager committed to donating two 5 gallon buckets, and the next 4 buckets at ½ price.

**Shade Tree:** J. Wilson stated they are waiting a bronze plaque, which will go in Callahan Park. The burning bush at the Crystal Fire Co needs to be replanted. Shade Tree needs to contact the state for permission to remove trees that are diseased at Scout Corner. She was waiting to hear from K. Napoli regarding a dedication at Scout Corner. K. Napoli stated he spoke with the Girl Scout leader, and they want to dedicate a tree to Carol Morcom at Scout Corner. J. Wilson reported the holiday decorations have been taken down.

**DPW:** D. Markey reported we've been doing a lot of plowing and salting, and going through a lot of salt. There are been some complaints here and there, and the DPW has been trying the best they can, and really do a good job. There are some specific areas that seem to be problem points. Once plowing season is over, the DPW committee and all full and part time employees shall have a winter post-mortem meeting to discuss successes and areas of opportunity to improve. Mayor Fuga stated it best serves us to be a bit more aggressive in protecting private property and purchasing delineators as to not plow in resident's yards. J. Wilson asked about potholes in the alleyway. T. Fuga stated the DPW filled them, and we're trying to fill more as we go, but the weather hasn't been cooperating. J. Wilson asked about fixing the roads. D. Markey stated we had a plan to do them back in October, but the weather hasn't been cooperating at all. We plan hiring someone to grade the alleyways, then using millings to lay out and roll. T. Fuga stated we're also going to look into tar & chipping some of the alleyways to improve them. He said we need to fix them, because it's very hard to plow the alleys as well. We're going to try to improve them.

**Public Safety:** K. Napoli reported there were six applicants for the open position of Fire Chief. He will schedule interviews for all six within the next couple weeks, and the committee will come back with a recommendation to council for the first March meeting.

**Finance:** C. Tomaine stated he has no report at this time. D. Markey stated FNB suggested we take the \$280K, sign it out now, and put it into an account so it begins to earn 1.75% interest while it sits in the account until it's being drawn on. D. Markey stated he received two additional proposals for revenue anticipation note, and Community Bank came in at 3.35%, and Tax Exempt Leasing was over 4%.

W. Aquilino asked if the Lackawanna County Housing Authority contacted D. Markey. D. Markey stated no. W. Aquilino stated we're supposed to have a meeting tomorrow, but hasn't heard anything. D. Markey stated he and W. Aquilino looked at the updated tax manual, which stipulates housing authorities shall pay a payment in lieu of taxes (PILOT) of 10% of all rents collected. In exchange, the residents of the housing authority will have access to the same services that all municipal services that local property taxpayers enjoy. Since the garbage fee is above and beyond property tax, the garbage is not part of the services exchanged for the PILOT payment.

**MS4:** C. Stephens thanked D. Markey for obtaining an extension from the EPA for the self audit checklist for the six minimum control measures. K. Dougherty provided a handout for council with a breakdown of owners for different minimum control measures. D. Markey stated there's been a lot of good ideas floating around, and mentioned that K. Dougherty had the suggestion to play a short video on the first monthly council meeting regarding stormwater management, accompanied with a sign-in sheet for the public, so every one of those meetings would count as public education and public outreach. Mayor Fuga had an idea that maybe we can purchase banners for the ballfield fences regarding stormwater management, which would count for public outreach as well. J. Wilson stated maybe signs in the flower beds also. D. Markey stated he will be assembling a binder for MS4 and the different minimum control measures.

**Grants:** K. Dougherty reported we have the Dirt & Gravel application, which is due at the end of March. She asked for assistance from Mayor Fuga. She asked about the ETA for the leaf vacuum grant. D. Markey stated

he signed & delivered 3 copies of the grant to the state back in January, and they are working on it. Once we receive an executed copy, we'll be good to order. The supplier is a COSTARS member, so no bidding will be required.

**Borough Manager:** D. Markey reported the auditor was supposed to be in on 2/25/19, however there have been setbacks due to weather, so the visit has been rescheduled for 3/4/19. Much information has already been provided to them.

D. Markey sent specs and prices to the finance committee for a new laptop for the police vehicles. The current laptop is a regular laptop that is in rough shape. We want to purchase a Toughbook, which will protect the computer from elements, vehicles, drops, etc. Chief Arthur sent him a spec sheet, and new computers run upwards of \$4000. We can purchase a certified used one, with all the specs for around \$1200 or so. The certified refurbished Toughbook would come with a 3 year warranty. D. Markey asked W. Aquilino if there is any issue with purchasing from an ebay store? W. Aquilino stated just reach out to other local municipal PD's to see how their experience in purchasing was. D. Markey stated a local police department recommended this seller. J. Wilson asked what the life is? D. Markey stated there is a three year warranty on them. J. Wilson stated she doesn't see an issue with this, and the police need updated equipment to be able to do their job, and it comes recommended from another police department. C. Tomaine asked how soon we'd like to move on this? D. Markey stated as soon as we can. T. Fuga stated the current laptop is being held together with duct tape. C. Tomaine made a motion to purchase the Toughbook. Seconded by J. Wilson. All members in favor, motion carried.

The special election will be held on March 12<sup>th</sup>, and the Primary Election will be May 21<sup>st</sup>.

D. Markey spoke with KBA, and we are in the midst of the parking lot paving grant which expires on June 30<sup>th</sup>, 2019, and he is trying to obtain an extension on the grant. KBA would like to see if we can receive this extension so the DPW garage can be constructed prior to paving, but just in case, it may be wise to vote to allow bidding advertisement now for the paving project. Council can vote to allow advertisement for the bid for the paving, and if they so choose, an alternate bid, placing a dollar amount limit on the paving. C. Tomaine stated if bidders know what our limit is, they may be more inclined to bump up the bids. B. Chase suggested a quote of price per square foot. J. Schreiner asked would it be the same companies that would submit both types of bids? D. Markey stated yes. J. Schreiner stated we can look at bids that are over the top, and we have options to award the bid to the bidder offering the best value. K. Napoli stated he can see both situations. D. Markey stated if we cannot get an extension, then maybe we wait for the garage to be completed prior to paving the front portion. J. Wilson asked can we hold the bill until the garage and paving is finished? D. Markey stated the work and reimbursement requests need to be submitted by 6/30/19. C. Tomaine stated there has to be some type of data out there which will give us the best estimate of pricing. K. Dougherty asked can we advertise for new bids if we don't like the first bids? D. Markey stated we can, however we're pressed for time, because there are time requirements after bidding, then conferences, etc. If required, we could have special meeting to advertise for re-bidding. D. Markey stated if council votes to allow for bidding tonight, we should have bids back by the second March meeting. T. Fuga stated that some blocks in the paving project were done for \$65K, which is way less material than this parking lot would ever take. K. Dougherty suggested to vote to just put it out for bid, and if we don't like the bids, we can re-advertise. B. Chase stated if someone bids and is awarded, it doesn't necessarily mean they will be able to start right away. A motion was made by J. Wilson to authorize KBA to begin the process of advertising for bids for paving of the parking lot, without alternate bids, seconded by J. Schreiner. All members in favor, motion carried.

The NEIC fee schedule was sent to Council, as well as the Fire Chief, Zoning Officer, and Engineer. B. Chase stated the new schedule looked good. A motion was made by K. Napoli to accept the new NEIC fee schedule, seconded by C. Tomaine. All members in favor, motion carried.

D. Markey asked W. Aquilino about a fee schedule for police reports? Is there a law that sets a limit? And can we pass a resolution for a fee schedule for police reports to ensure we're charging the same fee across the board? Chief Arthur stated if there is a victim of a crime, it is police discretion to waive the fee. C. Tomaine asked if we can benchmark around other municipalities regarding fees? W. Aquilino stated he will look into it. Most that he has seen have been around \$25 or \$30.

B. Chase stated the Artisan Fire Company met and decided that they would be open to hosting elections in the future, if appropriate. J. Wilson stated they need to be handicap accessible. B. Chase stated they are. D. Markey stated even if we told the office of elections that we'd like to change the venue, they come do their own inspection. J. Wilson asked who will contact the election bureau? D. Markey stated he will handle it after he hears back from Crystal Fire Co.

**Phone/Fax System:** D. Markey stated there are a lot of good things he likes about Vonage, and there were a lot of features we were able to tap into, but there are other cost savings and increased potential in another company that K. Dougherty was researching. D. Markey showed the flow chart of cost savings for the borough if we switched from Vonage to MightyCall, and switched fax lines from Vonage & Adams Cable to HelloFax. C. Stephens asked why there needs to be two different fax lines? D. Markey stated the police need their own dedicated fax line for sensitive and confidential information. The phones and faxes would be VOIP and D. Markey reviewed all aspects with Chief Arthur already. We can setup a phone tree for each different department. K. Dougherty stated MightyCall was rated best VOIP company in 2018, and is very reliable. The phone system would be \$49.99/month, and fax service would be \$14.99/month for both lines. No taxes or fees. C. Tomaine asked if there is any commitment? K. Dougherty stated no. D. Markey stated the technology is better, and the cost is less. A motion was made by C. Tomaine to switch to MightyCall and HelloFax for phone and fax services, seconded by J. Wilson. All members in favor, motion carried.

**Rushbrook Creek Project Grant Followup:** D. Markey reported the grant was extended for one final year. He asked Senator Blake last week what will happen if the grant expires again? Senator Blake assured him that Jermyn would not drown, and if new grants needed to be applied for, it would be done.

**New Business:** No new business.

**Adjournment:** With no other business to come before the meeting, a motion was made by K. Napoli to adjourn, seconded by J. Wilson. All in favor, motion passed. The meeting adjourned at 8:58 pm.

Respectfully submitted,



Daniel Markey

Borough Manager