

Jermyn Borough

Council Meeting

3/21/19

The Jermyn Borough Council held a council meeting on Thursday, March 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 President Kulick with the Pledge of Allegiance.

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

Minutes:

A motion was made by K. Dougherty to accept the minutes of 3/7/19 as presented. Seconded by K. Napoli. All in favor, motion carried.

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

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

		Mar 21, 19
ASSETS		
Current Assets		
Checking/Savings		
DPW Capital Reserve	▶	30,026.58 ◀
General Fund - Community		28,228.00
Holiday Lights		4,642.20
Investment - General Fund		1.39
Investment - Liquid Fuels		44,643.23
Investment - Paving Fund		11.59
Investment - Recycling		1.33
Investment - Refuse		2,529.78
Petty Cash		166.01
Recycling - Community		8,176.86
Refuse Checking - FNB		32,515.74
Shade Tree Commission		15,034.86
100050 • FNB General Fund		400.21
100052 • Liquid Fuels - FNB		82,062.67
100053 • Refuse - FNB		0.01
100125 • Crime Watch Account		752.59
100800 • Jermyn Recreations Commission		16,781.04
Total Checking/Savings		265,974.09
Accounts Receivable		
11000 • Accounts Receivable		6,775.22
Total Accounts Receivable		6,775.22
Total Current Assets		272,749.31
TOTAL ASSETS		272,749.31

▼ LIABILITIES & EQUITY	
▼ Liabilities	
▼ Current Liabilities	
▼ Accounts Payable	
200000 · Accounts Payable	22,888.42
Total Accounts Payable	22,888.42
Total Current Liabilities	22,888.42
Total Liabilities	22,888.42
▼ Equity	
30000 · Opening Balance Equity	267,346.60
32000 · Retained Earnings	-2,460.46
Net Income	-15,025.25
Total Equity	249,860.89
TOTAL LIABILITIES & EQUITY	<u>272,749.31</u>

F. Kulick asked how we did with the salt budget. D. Markey stated that with it being a calendar year budget, we still have to account for the upcoming winter until December 31, but all in all, we look like we're on track to stay within budget. F. Kulick also asked if we get paid back what we pay to GeoScience? D. Markey advised that per our ordinance, we send an invoice to the pave cutter that is 10% above and beyond the cost for GeoScience. F. Kulick asked what precipitated the body work for the police vehicle. D. Markey explained we filed a claim for body work due to one of the police cruisers sliding into a mound of ice that damaged the driver side door. A motion was made by J. Wilson to accept the treasurer's report and pay the bills presented, seconded by C. Tomaine. All in favor, motion carried.

Correspondence: F. Kulick read a letter received from the Crystal Fire Company stating they would be open to hosting the elections, but only if it's all 3 wards. F. Kulick stated wards were abolished, but they're still broken into three wards. F. Kulick asked K. Napoli to rescind his motion from the 3/7/19 meeting to allow Artisan Fire Co to host the elections. K. Napoli made a motion to rescind his previous motion to allow Artisan Fire Company to host the elections going forward. Seconded by K. Dougherty. All members in favor, motion carried.

A motion was made by F. Kulick to advise the Lackawanna County Board of Elections that both fire companies would be willing to hold elections beginning in 2020. Seconded by J. Wilson. All members in favor, motion carried.

F. Kulick read a letter from the Shade Tree Commission for the following events: Arbor Day Ceremony, April 24th at 6:30 pm. The Girl Scouts of Jermyn & Mayfield will be planting a tree in memory of Carol Morcom and Mary Perrault. The Shade Tree Commission is requesting that the event be placed on Rapid Cast. The would like the Mayor to proclaim April 24th as Jermyn Arbor Day. Jermyn Clean Up Month from April 14th to May 18th. All residents and businesses are encouraged to clean their properties and the street in front of their properties. Jermyn Shade Tree will post announcements, and asked the event be placed on the borough calendar and Rapid Cast. A question was raised by an audience member, asking about clean up month, if a registered organization will clean together, get tee shirts, have lunch afterwards after? J. Wilson stated that the scouts usually clean Scout Corner, and there is a pizza party afterwards. J. Wilson stated that they try to gather community service volunteers to help clean the parks, etc. J. Wilson also stated that posters will be put out in town, and it will also be published to Channel 7.

F. Kulick received a letter from the PA DEP. He stated our quarterly phone call was scheduled for this past Monday, but due to conference phone issues, they had to cancel it. They tried to reschedule it for today, but

others were unavailable so that got cancelled as well. DEP sent a letter stating they are still working on legal aspects for the mitigation area. The DGS determined the borough cannot collect any easements prior to final project design and approval. Revised mitigation plan submitted in December, 2018, and work has begun on the PENNDOT HOP application. DEP will wait until the ACOE comments prior to the next conference call scheduling.

Public Comment: Riley Bevan, 319 Dwight Ave., stated she asked last year about having chickens in Jermyn, and she never received an answer. F. Kulick stated C. Stephens was supposed to do research about the pros & cons and get back to council. J. Schreiner stated she wants chickens. F. Kulick stated he thinks some of the issues are neighbors, parts of town where chickens should be, parts of town where chickens shouldn't be. Melissa Pennie stated that when she moved to town, she was under the impression that she could do whatever she wanted on her property. F. Kulick stated that's not necessarily true; chickens currently are not allowed in the borough. Karen Bevan, Riley's mother, stated an answer would be appreciated, because Riley came to council last year with the pros and cons of having chickens and hasn't received an answer yet. K. Napoli stated that he will get with C. Stephens when she returns, and make sure the research is completed, and that we will have an answer for her by the first meeting in June. W. Aquilino stated that in other communities that have allowed chickens in the past, chicken poop is a concern, cats going after chickens is a concern, we already have a cat problem in the borough. Disease, noise, and predators are the primary concerns. Bears and coyotes are an added concern in the borough. F. Kulick stated there's also concerns about how many you could have, where they're kept, what type of land the property owners have, etc. J. Wilson stated that the owners would need to be very responsible. K. Dougherty stated that she believes Riley would be a responsible chicken owner, but there may be other chicken owners in town that are less responsible. J. Wilson addressed Miss Bevan and stated that we have to look into all the possibilities in town, and it's nothing against her. Mayor Fuga stated that if we do it, we want to make sure we get it right.

D. Markey stated that Melissa Pennie, in the audience tonight, 414 Callahan Dr., has a water issue. She stated that her neighbor is on a hill, when the hill comes down, the land plateaus, and that's where her house is. She is taking on water from her neighbor. She would like to install a French drain, but wants to make sure she's not doing anything inconsistent with MS4. Mayor Fuga asked if there is a swale there already, and she needs the water to get to the swale? She stated yes, but she was asking what type of drainage system she should use? Mayor Fuga stated the French drain is the best type anyway, because it filters out sediment prior to going in anyway, and the water would just flow to the retention pond.

K. Bevan asked if Dwight Ave can be paved? She said the potholes are very bad. Mayor Fuga stated we started taking care of Dwight and filling potholes, and then it started to rain again. D. Markey stated he would address the issue during the borough manager report.

Reports:

Police Chief: Chief Arthur reported he attended the Safe to Say program at the school, a statewide system to report bullying, threats, etc. He explained how the system works, and it's already been used in our district.

Chief Arthur thanked Art & Joanne Wilson for donating the funds to purchase the remote LED flares, which will help out at the funeral home, etc.

He thanked the Mayor & Crime Watch for the donations towards the speed sign we purchased. It is portable and can be placed wherever we need. It provides data, so if someone complains about speed, we can show them the high, low, average, etc.

Chief Arthur wanted to bring to council's attention the rail bed erosion where the Rushbrook Creek flows into the Lackawanna River. Due to sediment, the flow of the creek changed to flow right into the rail bed, which is washing away the bank. He notified the railroad, and they were in town today repairing the eroded bank.

The Chief asked council's permission to hold the Easter Egg Hunt at Callahan Park on April 13th at 11am, rain date April 20th. They will be packing eggs on April 4th at 6:30 pm. They had 4500 eggs last year, and will have about 6000 this year. The boy scouts, Lions Club, and Knights of Columbus are also involved. They are looking for scooters to give away, and Easter baskets as well.

The police are continuing to do house checks, school checks. He attended a Chief's Meeting last month. Chief Arthur thanked the fire police again, and stated they are a real asset, especially during the fire at Lincoln Ave. In Chief Hallowich's absence, he thanked all the fire companies that responded to the house fire. He urged the community that if they see something, call 911. In this case, the resident was a night shift worker who was sleeping, and the fire didn't get called in until 11am or noon. He said neighbors banged on the door to wake the resident, which was the good part. The bad part is he spoke with people who saw the fire and didn't call, because they assumed someone had already called it in. Comm center doesn't care if they receive 100 calls on one fire.

Fire Chief: K. Napoli reported that Chief Hallowich wants to thank all the assisting companies that helped on the Lincoln Ave fire. K. Napoli, Chief Hallowich, Captain Allan and Captain Chase had a meeting yesterday to acclimate to one another and to see how everything is working; things that need to change, etc. The meeting was very productive.

Zoning: Absent.

Tax Collector: Absent.

Mayor: Mayor Fuga has nothing at this time. He will swear in Chief Hallowich when they both have time.

Engineer: Absent

Code Enforcement : W. Aquilino stated that he and the borough manager had further communication with the owner of the buildings on Rushbrook St. and he will be given until the end of April to have the repairs completed. We are awaiting a final inspection on the Brosky property, which should happen this week, and there are two or three properties which will be the subject of District Magistrate complaints, which should be done in the near future.

Solicitor: W. Aquilino stated he has provided a copy of the employee handbook to all council members and the borough manager. We are discussing some issues regarding PTO time, but everything else seems to be in order. Job descriptions have been submitted for review, and some revisions have already been made to firefighter job descriptions.

Planning Commission: B. Kleha had nothing to report.

Grants: K. Dougherty stated we received the executed copy of the Leaf Vac grant, so we'll get that ordered shortly. K. Dougherty thanked Mayor Fuga for his assistance with the Dirt & Gravel Road Grant application.

Recreation: K. Dougherty reported that we replaced the soda vending machine with a new one, and the price per drink will be \$1.50.

Shade Tree: J. Wilson stated the main objectives were the Arbor Day and Clean Up month. They also go to 4th grade classes in the Lakeland School District and do a presentation. With Easter being the Sunday prior to

Arbor Day, they're having an issue fitting the presentation into the school schedule. The Concert in the Park is scheduled for July 28th. The Lions Club is having a Lazy Duck race on Memorial Day. This is their main fundraiser for the year. 400 ducks are sold, and \$1000 in prizes are given out. J. Wilson stated Melissa Pennie had a good idea; and maybe she'll contact guidance at Lakeland regarding cleanup. Shade Tree will meet at the beginning of April. Starting Sunday, cleaning around trees on Main St, weeding, fertilizing, etc will begin. D. Markey stated he was asked about timeframe and price of next wave of Hometown Hero flags. J. Wilson stated it will be addressed at the April meeting.

DPW: D. Markey showed council pictures of different signs throughout town that the posts are not straight. They are leaning, they are bent, etc. They subtract from the town when they are not straight and uniform. Currently when the DPW needs to erect or straighten a sign post, it's a two man job; one to hold the breakaway, one to hold the sledge. It's tough to get the sign post in straight, in winter, it's hard to drive down as far as it needs to go. D. Markey showed a video of a propane powered post driver, showing how this would help us fix sign posts and install them straight. D. Markey asked council to consider the purchase of a propane hammer. New would be about \$2800, used/factory refurbished would be about \$2400. This can be paid out of liquid fuels. Either new or refurbished would come with a 1 year warranty. Mayor Fuga explained the current process, and how the propane hammer could really help with safety and efficiency. C. Tomaine asked if there's a mechanism on getting straight, or if you just eye it. Mayor Fuga stated you would just eye it, which is how it's done now, but this would ensure that we don't have to worry about sparks flying while you're trying to hold the sign straight. C. Tomaine asked if the tanks are refillable? Mayor Fuga stated yes. J. Wilson asked if it could be used for anything else? Mayor Fuga stated yes, anything that needs to be driven into the ground. A motion was made by F. Kulick to purchase the refurbished post driver. Seconded by C. Tomaine. All members in favor. Motion carried.

Borough Manager: D. Markey reported he and the DPW met with Pocono Spray Patching yesterday. They drove through many roads and most of the alleyways in town. This company provides spray patching and tar and chipping. The representative advised us that Old Mill Rd in the Woodlands needs to be paved, it would not be a candidate for tar & chipping or spray patching. D. Markey stated they are going to get us different prices on different roads and alleyways. Mayor Fuga stated that a two lift tar & chip would get us about 6-8 years on alleyways, and a coat of fog sealer would seal it up and even look like blacktop. D. Markey stated the only roads that wouldn't be a candidate would be Old Mill Rd and the back end of the 400 block of Shields Ct. by Gibson St due to clearance issues. Mayor Fuga answered some additional questions about the process. D. Markey stated we should have an estimate - no cost, no obligation – in a couple weeks. C. Tomaine asked if any other municipalities use this company? D. Markey stated they are used by PENNDOT, and they have also taken care of some parking lots in Jermyn. Mayor Fuga stated a lot of municipalities in the Poconos use them also.

D. Markey met with the Census Bureau today. They are hiring for census workers, starting at \$16.00/hr, and \$.58 per mile for use of vehicle. They stressed the importance of everyone taking part in the census, and how it affects federal funding, grant funding, etc. Also, it is in Article II of the Constitution that all shall partake in the census. D. Markey discussed with the bureau that many in town look out for each other, and may call the police if they see someone going door to door. They advised that this year all census officials will have photo ID.

D. Markey stated all the plumbing for toilets & urinal are failing. The flush valves are leaking and/or broken. We received different quotes for the flush valve replacement, and also for automatic flushers. Williams Plumbing was the best price, quoting all 3 flush valves with automatic flushers for \$1800. C. Tomaine asked

what the price is without automatic? D. Markey stated \$600. C. Tomaine stated we're still addressing the issue without the automatic. D. Markey stated that when people don't flush, it really stinks. Mayor Fuga states it happens very often, and that's why we're looking into the automatic flush valves. K. Dougherty asked how we're paying for it? D. Markey stated we have funds in the janitorial budget, and we can pull funds from the recycling account as well. On the question, J. Wilson asked if we should use the local plumber, even though he was \$150 more. D. Markey stated he didn't even want to give us a quote; it took a few months for him to get back to us. A motion was made by K. Dougherty to hire Williams Plumbing to replace current flush valves with automatic. Seconded by C. Tomaine. All members in favor, motion carried.

D. Markey reported that we received a letter from the Lackawanna Heritage Valley Trail Management Committee. It was a bill for maintenance between 2015-2019 for \$10,080. D. Markey stated he found the joinder agreement between the authority and the borough, however it was never executed by the borough. D. Markey asked if he should contact the authority? F. Kulick stated no, just disregard the letter.

D. Markey stated Chief Arthur mentioned this last fall, and he asked prior administrations and nothing was ever done. We secured COSTARS fuel cards to be placed in every borough vehicle, and each employee has an employee number, which is traceable back to them. When the fuel bill comes, the liquid fuels taxes are already subtracted.

The Mayor and Borough Manager went to the old county office on Adams Ave in Scranton, and secured many more items, filing cabinets, office supplies, etc.

PENNDOT will be doing street sweeping, and will notify us at least 24 hours in advance of coming. We can then ban parking on the street during that time. In the meantime, the DPW will go through Washington Ave and clean the heavy debris.

Public Safety: K. Napoli made a motion to allow the police to use the park on April 13th for the Easter Egg Hunt, with a rain date of April 20th. Seconded by J. Schreiner. All members in favor, motion carried.

Finance: F. Kulick stated there was nothing at this time.

MS4: J. Schreiner stated we should hold a meeting in the near future.

Rapid Cast: F. Kulick announced that despite all the complaints on Facebook, Rapid Cast's purpose is to keep the borough citizens aware of any emergencies or advisements or public information such as fundraisers by the various community organizations.

Police Chief Contract: F. Kulick asked if the contract was finished? Chief Arthur stated there were some issues outstanding.

Police Pension: W. Aquilino stated we're looking into the feasibility of the current police pension plan, and we are currently in the process of discussing with our third party administrator regarding what we can do, and after we find out what we can do, find out what we want to do, be it change from a defined benefit plan to a defined contribution plan, etc.

Mightycall: D. Markey stated that Mighycall didn't meet our needs, and when we found out the price for what we need, it was above and beyond Vonage cost. He asked for a motion of council to switch from Mightycall back to Vonage. A motion was made by K. Dougherty to switch back to Vonage, seconded by J. Wilson. All members in favor, motion carried.

Executive Session: F. Kulick announced at 9:02pm that council will adjourn into executive session to discuss personnel and real estate issues. Council reconvened from executive session at 9:42pm.

DPW Garage: A motion was made by J. Wilson to suspend the borough's application with the USDA for the DPW Garage, and to explore other less costly avenues. Seconded by K. Dougherty. All members in favor, motion carried.

New Business: F. Kulick announced that Longworth's Restaurant is celebrating 20 years in business on April 5th, and we would like to honor her at the April 4th meeting.

Adjournment: With no other business to come before the meeting, a motion was made by K. Napoli to adjourn, seconded by K. Dougherty. All in favor, motion passed. The meeting adjourned at 9:45pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Daniel Markey". The signature is written in black ink and is positioned to the left of the typed name and title.

Daniel Markey

Borough Manager