

Jermyn Borough

Council Meeting

10/21/21

The Jermyn Borough Council held a council meeting on Thursday, October 21, 2021 at 7:00 pm in the Council Chambers of the Jermyn Borough Building, 440 Jefferson Ave. Jermyn, PA 18433.

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, Kevin Napoli, Cynthia Stephens, Carl Tomaine, Robert Hunt, and Kyra Davey. Attorney Moran and Bob Chase were also present. Kevin Napoli, Cynthia Stephens, Carl Tomaine, Mayor Fuga, Jim Perry, KBA, NEIC, Nicole Stephens, and Stanley Hallowich were absent.

**Minutes:** A motion was made by K. Dougherty to accept the minutes of 9/16/21 as presented. Seconded by K. Davey. All in favor, motion carried.

**Correspondence:** F. Kulick read a letter from United Neighborhood Center regarding putting a feed a friend barrel in the borough building. The girl scouts would like to use the gym on December 11<sup>th</sup> for the Christmas parade.

**Public Comment:** Mike Bradley, 426 Garfield Ave. addressed council regarding the water pooling in front of his garage facing Bacon St. after the contractor paved the road. F. Kulick stated he spoke with the engineer and the contractor. The bid for the project was \$74,623, and there's an additional \$17,703 beyond the original bid. Mr. Kulick stated that KBA only did the bid specs for one lateral, and there were two, also the trench was so poorly done the last time, there was a lot of additional work involved. The other issue is the water pooling and the cut on the driveway area by Mr. Bradley's garage. The total cost over the original bid would be \$20K, and that would handle the change orders and the drain to be placed in front of Mr. Bradley's garage. K. Dougherty asked doesn't the borough need to approve change order requests? D. Markey stated usually the contractor will go to the engineers for change order approval. L. Moran stated the engineers have apparent authority to approve. D. Markey stated the borough office was notified of the change orders and approvals. D. Markey stated both issues – the change orders and Mr. Bradley's issue – can be handled with American Rescue Plan funding, as they have to do with sanitary sewer and storm sewer issues. A motion was made by K. Davey to use American Rescue Plan funding to pay ABC Construction for the change order overages and the catch basin installation on Bacon St, to be completed ASAP. Seconded by K. Dougherty. All members in favor, motion carried. Mr. Bradley asked about damage to his vehicle because of the lip in front of his driveway? L. Moran stated the borough would have immunity from paying such damages.

Another resident stated he has issues where his sewer gets backed up. He is happy that Mr. Bradley's issue got fixed, but his issue hasn't gotten fixed yet. F. Kulick stated he understands the Bacon St project would fix his issue as well. F. Kulick asked D. Markey who owned the sewer line on Bacon St? D. Markey stated that the borough owns the sewer, not the sewer authority. F. Kulick asked if the sewer line on Garfield is owned by the borough? D. Markey stated part of it is, and part of it is LRBSA. F. Kulick asked if the Bacon St sewer project would alleviate the issues on Garfield? D. Markey stated the new sewer line on Bacon would have gotten rid of the sags and the backup. K. Davey asked when the last time this issue happened? The resident stated it happened last year, after Thanksgiving, and he would like to make sure there are no issues any longer.

**Andrew Ford:** Mr. Ford stated he has been a resident of Jermyn for about five years now. He is a videographer, and advised council of some of his work. He wants to get involved in the community and had an idea of showing people how to shoot videos as a community service effort. K. Davey asked if he's looking for a one time thing or weekly class? He states he was thinking of maybe a four week program, where he will cover a different topic each week. K. Davey will touch base with Mr. Ford to put the program together.

**Police Chief:** Absent.

**Fire Chief:** Absent.

**EMA Director:** Absent.

**Solicitor:** L. Moran stated we will be beginning the process of procuring easements, and council will need to give authority to the solicitor to be able to make easement offers. He stated that he wouldn't go higher than \$100, but D. Markey felt strongly that there shouldn't be financial consideration. Technically, the diminution of value is how it would be considered, and the value of the properties will increase after the project, so there really shouldn't be financial consideration. Just in case there are any holdouts, does council want to authorize an amount? The question was asked how many properties are along the project path? D. Markey stated 34 properties, and Jermyn Borough is a property owner for one or two parcels as well. L. Moran stated that he and F. Kulick will be meeting with some more reps next week regarding funding, and a decision doesn't have to be made tonight about financial consideration, but we are at the point where we have the information needed from PA DGS, so he would like to get the ball rolling soon. L. Moran stated he has the quit claim deed for the land on Washington Ave, so he will get that recorded.

**Code Enforcement:** Absent.

**Zoning Officer:** B. Chase stated there was a zoning hearing last Thursday for Cerminaro Construction to put in a storage facility. The facility will be on the section between their garage and the alleyway. The other storage units he owns are top notch. There will be fencing, cameras, etc. There will be 152 storage units. B. Chase stated he is working with Stanley Loff on a subdivision. D. Markey stated he has the application, but there is a subdivision and land review fee, in which D. Markey notified Mr. Loff's attorney. B. Chase asked which planning commission it goes to first? D. Markey stated it should go to the borough planning commission, then upon approval, to the county planning commission.

**Engineer:** Absent.

**Tax Collector:** Absent.

**Mayor:** Absent.

**Shade Tree:** R. Hunt stated the Shade Tree Commission is meeting tonight to finalize Veteran's Day Ceremony, and there will be no new planting of trees this fall.

**Planning Commission:** Absent.

**Public Safety:** Absent.

**Finance:** Absent.

**Grants/MS4:** K. Dougherty stated nothing for grants, and for MS4, we met with the auditor, and we have not gotten the audit back yet. D. Markey stated for grants, Lackawanna County was awarded the CDBG grant for Jermyn Borough's elevator. The pre-bid conference was held last week, and the county commissioners will be awarding the grant in early November. F. Kulick asked if we can refuse the grant? D. Markey stated you can,

but he worked really hard with the county on obtaining this grant. F. Kulick asked why we need an elevator? He stated it will lead to more expenses. D. Markey stated once the elevator grant is obtained, then you can go for grants to finish the upstairs, rent out to professional services, etc. or go for a KIZ (Keystone Innovative Zone) designation, which will pay the borough to house entrepreneurs and employees who are able to work remotely, but might not have reasonable accommodations elsewhere. The borough provides the internet and electric for people, and through the KIZ designation, receives income from the state.

**DPW:** Absent.

**Recreations:** K. Davey stated she will keep Council posted on what happens with Mr. Ford.

**Bridge St. Ordinance:** F. Kulick read the no parking on Bridge St. Ordinance. A motion was made by K. Davey to pass Ordinance 2021-11. Seconded by K. Dougherty. All members in favor, motion carried.

**Civil Service Commission:** F. Kulick stated since the commission ordinance passed, we need to fill seats on the commission, so please find some people who would be interested in serving on the commission.

**Treasurer's Report/Bills Payable:** D. Markey read the treasurer's report:

Current Assets

Checking/Savings

|                           |            |
|---------------------------|------------|
| American Rescue Plan Fund | 95,750.37  |
| Capital Reserve - DPW     | 10,524.40  |
| Capital Reserve - Police  | 4,486.82   |
| Crime Watch Fund          | 222.69     |
| General Fund - Community  | 147,578.32 |
| General Fund - FNB        | 4,294.58   |
| Holiday Lights Fund       | 940.14     |
| Investment - General Fund | 1,001.57   |
| Investment - Liquid Fuels | 33,815.49  |
| Investment - Paving Fund  | 1,011.93   |
| Investment - Recycling    | 5,003.63   |
| Investment - Refuse       | 2,600.31   |
| Liquid Fuels - FNB        | 32,581.84  |
| Petty Cash                | 231.00     |
| Recreations Fund          | 15,474.25  |
| Recycling - Community     | 8,673.76   |
| Refuse Checking - FNB     | 85,001.21  |
| Total Checking/Savings    | 449,192.31 |

Current Liabilities

Accounts Payable

|                           |           |
|---------------------------|-----------|
| 200000 · Accounts Payable | 76,902.01 |
|---------------------------|-----------|

A motion was made by accept treasurer's report and pay bills by K. Davey. Seconded by K. Dougherty. All members in favor. Motion carried.

**Police Pay:** F. Kulick stated that we hired our third full time officer at a rate that exceeds what our second full time officer makes. K. Napoli wished to have Officer Binner pay rate raised from \$20.00/hr to \$24.32/hr retroactive to October 1, 2021. A motion was made by K. Dougherty to raise the rate of pay for Officer Binner by \$4.32/hr retroactive to October 1, 2021. Seconded by K. Davey. All members in favor. Motion carried.

**Past Bills:** D. Markey explained there were a batch of bills paid on 10/7/21, and it's a good idea to ratify the bills paid. A motion was made by K. Dougherty to ratify bills paid on 10/7/21, seconded by K. Davey. All members in favor, motion carried.

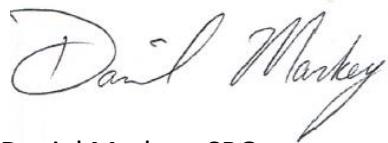
**Dwight Ave:** F. Kulick stated we are running out of time to pave Dwight Ave, and he has called Rock Bottom Construction, and will try to call again tomorrow. D. Markey stated they are waiting for a milling machine, and when they have access to one, they will pave Dwight Ave. F. Kulick stated that R. Hunt mentioned earlier to put a time constraint on these types of projects in the future, and he thinks that is a good idea.

**Borough Secretary/Treasurer:** F. Kulick stated we are currently eliminating the borough manager position, or suspend it. L. Moran stated there shouldn't be an issue with leaving it there unfunded. F. Kulick stated the hiring committee is ready to make a recommendation for a secretary/treasurer. K. Dougherty stated there wasn't much interest in the borough manager position, and there wasn't much interest. The interest that was there was not borough manager caliber, so they went back out and recruited for a secretary/treasurer position. There was much interest, and they conducted quite a few interviews, and it was unanimous among the committee to recommend Shannon Lee to be hired as secretary/treasurer at a starting salary of \$38K. She was the only candidate they spoke with that had customer service and payroll skills, etc. A motion was made by K. Dougherty to hire Shannon Lee at a salary of \$38,000, seconded by K. Davey. All members in favor, motion carried.

**New Business:** None.

**Adjournment:** A motion was made to adjourn by K. Davey. Seconded by K. Dougherty. All members in favor. The meeting adjourned at 9:06 pm.

Respectfully submitted,



Daniel Markey, CBO  
Borough Consultant