

UNOFFICIAL UNTIL NOVEMBER 14, 2013

Jermyn Borough Council met on Thursday, October 10, 2013. On roll call the following members were present: W.Estile, J.Allan, J.Smith, A.J.Fuga and K.Hosie. Attorney Nicholls and Mayor Smallacombe were in attendance. J.Mark and B.Parks were absent.

MINUTES –A motion was made by A.J.Fuga, seconded by J.Smith to accept the minutes of September 12,2013. All members were in favor.

FINANCIAL REPORT – J.Smith presented the financial report :

Beginning Balance – \$298,680.96
Deposits – \$59,320.07
Expenses – \$100,572.74/\$55,610.30 Rock Bottom

Ending Balance -\$257,428.29

A motion was made by J.Allan, seconded by A.J.Fuga to approve the financial report as presented. All members were in favor.

At this time Jeff Kyle from DGK, the boroughs' current insurance agent, addressed Council. Mr.Kyle explained that there have been changes in the Workers Compensation law affecting municipalities. He explained that any firefighter who has been active for 600 weeks and gets cancer and has been exposed to Class 1 fire, which is any kind of structure fire, will be eligible for workers compensation benefits. Mr. Kyle suggested splitting off the fire company's policy by itself, so if there are any claims it will not affect the other workers compensation policy. There would be two policies one in the name of both fire companies and one in the name of Jermyn Borough.

Mr. Smith asked if it is a drop in price? Mr. Kyle said no there will not be as drastic an increase in cost. Attorney Nicholls said the politicians are attempting to remedy the flood gates that will be opened with the number of future claims.

2013-2014 INSURANCE PACKAGE – A motion was made by A.J.Fuga seconded by J.Allan to accept DGK bid with two separate policies one for the fire companies and one for the Borough, the fire policy at a cost of \$22,322 and the other classifications \$42,958.00. All members were in favor.

MAYOR -The Mayor reported the police department had an active month. The Chief obtained a \$1,000.00 seat Belt Grant. He wanted the public aware that the Steamtown Marathon will be this Sunday and it starts at 8:30. The Chief had a \$900.00 television donated and it can be used with the computer. He said he has not received any complaints about our police department and they are doing an excellent job.

DRUG TAKE BACK – Chief Arthur reported that the Jermyn Police Department, partnering with the DEA, will be participating in the County Drug Take Back on October

26 from 10:00 to 2:00 at the borough building. There will be receptacles to get rid of prescription drugs, anyone in the county is welcome. He has obtained fingerprint kits from Representative Farina's office and the Jermyn Crime Watch will be serving free hot dogs, soda and chips. Mrs. Hosie asked if they could put the pills into baggies. The chief said yes or just empty the bottle into the receptacles.

Mayor Smallacombe said the Welcome to Jermyn sign is down by Bednash's. J.Allan said the water company took it down, it will have to be re-located. The Mayor thanked the DPW for cleaning the drains after the last storm. He said he could not attend the Variety Show but he heard good reviews.

The Historical Society will be having a speaker at every meeting from different walks of life. They meet the first Sunday of the month. There will be a fundraising meeting October 16 at 7:30 at the Crystal for Janet Young. There will be a Cd Release for Danielle on November 24, tickets can be purchased at Debbie's Florist. The Girl Scout parade will be December 7.

SOLICITOR – Attorney Nicholls said at the next work session we will discuss the contract with Bureau Veritas.

FIRE CHIEF – Chief Rood said a new siren controller will cost \$616.00 . He spoke to J.Perry from Mayfield and asked if they would donate their old controller to Jermyn, and Mayfield Council agreed to donate it to Jermyn. He said there may be a cost to install it and will get back to Council with the details. Chief Rood said the lightweight construction ordinance is on the website and they may put flyers in mailboxes. He also asked if Council would get Ralph Bensing, EMA Director, appointed by the Governor so he can attend training sessions. R.Rood said he will speak to John Lewis and Michelle with Lackawanna County will look into how to obtain the paperwork.

LACKAWANNA COUNTY – Michelle reported that the Election Board is looking for people to serve at the election sites. The Judge would be paid \$140.00 and inspector and clerk \$105.00. For other events please go the County website.

PUBLIC INPUT –K. Desanto addressed council stating that a member of council came into to see my wife at Convenient and was discussing fire house business in front of customers. He said it upset his wife and her boss, it should never have happened, they could of come to him. He said it was on facebook and his wife had nothing to do with it. Mrs. Hosie said she considered Ann a friend and when she got the call the application was filled out and that Debbie told her that's not how you go about it. And there wasn't a crowd and I was not boisterous. But when I walked out I said from what I understand in the past the fire chief position was two years for the Crystal and two years for the Artisan. At one time the captain at the Artisan was appointed for two years and did not want to attend any more meetings and that's why the Crystal has had it. I told Ann that I don't understand what you have to do, from what I was told before I was ever on Council. Which is that the fire companies submit a recommendation. And I did ask her, he is not a member of a Fire Company. Mr.Desanto said that you can even apply by

voice. K.Hosie said I was telling Ann how I was told so Karl could re-apply if he wanted to and before Council has to make a decision on fire chief we would take everything into consideration.

Whitak, 512 Garfield Avenue said the police department has been making an effort not to be pulling cars over in his parking lot, although he thinks it's a speed trap. He also said it is an insurance issue. What if something happens in his parking lot between a customer and a police officer? Who is responsible? Attorney Nicholls said he does not know.

R.Rood, 403 Bacon Street asked about progress on the sewer issue. K.Hosie said there will be a special meeting on October 25 at 9:00 am. Mr. Rood said there is a discrepancy between J. Barretts survey and his.

FINANCE – A motion was made by A.J.Fuga seconded by W.Estile to pay invoices in the amount of \$18,980.36. All members were in favor.

PUBLIC WORKS – Mr.Parks asked Mr. Estile to ask council if we could have another electronic pick up? Council agreed to have a drop off collection. A motion was made by W.Estile seconded by A.J.Fuga to have an electronic drop off on November 2 or November 9 the rain date. All members were in favor.

PUBLIC SAFETY – A.J.Fuga thanked the DPW for painting the lines at the Crystal. And asked when they will do the crosswalks? There has not been a date set.

J.Esgro notified council of a safety issue on Bacon Street. He said there are 5 or 6 dangerous trees and children walk under them for school. He said pieces are falling and someone is going to get hurt. Council asked that the STC be notified.

RECREATION – J.Allan reported that the Lakeland youth basketball will be starting on January 5th in the gym. Sign ups will be on October 23, 6 to 8 and November 2, 12 to 2. They have refs and coaches.

B.Smallacombe addressed the school bus stop at Madison Avenue and Route 107 . Chief Arthur said he has spoke to Mike the head of transportation at the school, he asked if the borough had anyone in mind to hire. The chief said he would speak to council and get their response. A.J.Fuga and K.Hosie felt this was school business.

Mr. Wilson said the hallway is a mess. J.Esgro said there was garbage in the hall. A.J.Fuga said they need to be made aware of the problem.

NEW BUSINESS

REFUSE BIDS – Attorney Nicholls said there were 4 Refuse bids;
County Waste- \$443,940.12
Scroggs – \$449,489.00

W.M. – \$459,465.00

Mascaro – \$471,852.00

Attorney Nicholls said he looked at all of the bids to see if they complied with the requirements of our specifications.

1. County Waste:

A. Bid not signed, not material defect, can be cured.

B. No performance bond included at the opening, County Waste provided it, not material defect.

C. Evidence of owned equipment, County Waste did not give list, not material defect.

D. Did not give evidence of a contract with a disposal site and that the facility had enough room. This is a material defect.

Waste Management complied with all the specification requirement.

Attorney Nicholls said the difference in cost is \$16,000.00 and recommended Waste Management be awarded the contract.

W.Estile said there have been complaints about WM missing a whole street three times and they have been picking up in Jermyn for almost three years and council should look at performance. Attorney Nicholls said there have been misc. problems and he sent them a letter. This does not make them irresponsible.

A motion was made by J.Smith to award the three year refuse contract to Waste Management in the amount of \$459,465.00. There was not a second to the motion.

A motion was made by W.Estile to award the three year refuse contract to County Waste in the amount of \$443,940.12, there was not a second to the motion.

Mrs. K. Hosie asked what do we do now? J. Smith said the Solicitor said it all in his legal opinion.

THREE YEAR REFUSE CONTRACT– A motion was made by A.J.Fuga, seconded by J.Smith to award the three year refuse contract to Waste Management in the amount of \$459,465.00. On roll call the motion passed 3 to 2, with W.Estile and J.Allan voting no.

NEW BUSINESS

COPY MACHINE – A motion was made by J.Allan, seconded by W.Estile to purchase two copy machines at a cost of \$2995.00, with the stipulation that Northeast Toner takes away the two old ones. All members were in favor.

RE-APPOINT WILLIAM ARTHUR – A motion was made by A.J.Fuga, seconded by W.Estile to re-appoint William Arthur as Acting Chief until the next meeting or Chief

Zellers returns to work. All members were in favor. W.Estile thanked Chief Arthur for assisting with the Wright Center Race on his own time.

K.Hosie reminded council of the special meeting on October 25 at 9:00 a.m.

M.MCMORROW VEST – A motion was made by J.Smith seconded by A.J.Fuga to purchase a vest for Officer McMorrow with the borough paying for half and the other half covered by a grant. All members were in favor.

JOHN BINNER– Chief Arthur said John Binner has completed his training and asked that his hourly rate be raised to \$12.00 an hour. K. Hosie said he only worked four days. Chief Arthur said he came in on his own time and has been a police officer for nine years. A motion was made by J.Smith, seconded by A.J.Fuga to raise Officer Binner's hourly rate to \$12.00 an hour based on Chief Arthur's recommendation. All members were in favor.

A motion was made by J. Allan, seconded by A.J.Fuga to adjourn. All members were in favor.