

Council Minutes – November 14 2013

Jermyn Borough Council met on Thursday, November 14, 2013 at 7:00 p.m. The following members were present: J.Mark, W.Estile, J.Allan, J.Smith, A.J.Fuga and K.Hosie. Attorney Nicholls and Mayor Smallacombe were in attendance. Councilman B.Parks was absent.

At this time President Hosie asked for a moment of silence for former Councilwoman Janet Young who passed away from cancer.

MINUTES – A motion was made by A.J.Fuga .seconded by W.Estile to adopt the minutes of October 10, 2013. All members were in favor.

FINANCIAL REPORT – J.Smith presented the Financial Report:

Beginning Balance- \$257,428.29
Deposits -\$22,649.05
Expenses – \$159,259.22 (\$68,201.00 Recycling truck)
Ending Balance -\$120,818.01

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

President Hosie announced a fund raiser for the Young family on November 23 at the Artisan Fire Company, tickets are \$20.00. Also one of our police officer's 17 month old daughter is in the Lehigh Valley Burn Center with severe burns. A fund has been set up at Community Bank, 645 Washington Avenue, Jermyn for donations.

REPORTS FROM ELECTED OFFICERS

Mayor Smallacombe thanked Chief Arthur for setting up the fund for the Brazen family and thanks to all who are supporting the Young family benefit.

Danielle Klhea will be having her CD Release at Gennetis' on November 24. He thanked the fire police and police department for the great job on Halloween night, making the evening safe for all. Thanks to our Chief and the department for doing an excellent job with the Drug Take Back Day, the trapping of cats, the DUI Grant and the running of the Enradd System.

The Historical Society had their first meeting with a speaker and it was a success. They meet the first Sunday of the month at 7:00 at Longworths'.

FIRE CHIEF – Chief Rood said he has obtained the software for the siren, at no cost, and should be set up by next week. The paperwork for our EMA, Ralph Bensing, has been prepared and the process is started.

The ISO Insurance people visited Jermyn, the first time since 1994. He explained that they completed the paperwork for the Boroughs water flow and is hoping for a better rate for homeowners insurance policies.

Chief Rood said the Fire Relief had their audit for 2010, 2011 and 2012 and will present Council with a copy when he receives it.

President Hosie reported that we did not receive the grant from Lackawanna County for the paving of the 400 block of Jefferson Avenue. She said all residents must respond, if the resident cannot be reached it goes against our ability to qualify.

PUBLIC INPUT – A C.Nimes, 395 Washington Avenue addressed Council concerning speeders on Johnson Court and is concerned about the children playing in their back yard. She asked if signs could be placed saying “Children Playing” or a speed bump? She also has problems with neighbor children out at 11:30 or midnight, they are only 11 to 13 years of age, they are loud, cursing and disturbing the neighborhood.

President Hosie said that you have to call the police. A.J.Fuga said it is a social problem and sadly people are not responsible for their children and urged her to call the police. He also suggested getting a license plate number for the speeders, if possible. Chief Arthur will make his officers aware of the problems.

Mr Lou DeMarco, 208 Gibson Street, addressed Council for the sixth time concerning the surveys that were done at his residence. One was done by his surveyor and one was done by the Boroughs’ surveyor. He said there is a difference of three feet in the surveys and had concerns for any future building he may wish to do and which survey will be used? Mr DeMarco would like the decision in writing.

Attorney Nicholls said the borough would use the survey that was given to them by our engineers and give him a letter to that effect. Mr. DeMarco said does this have to go legal? He said he was told that the borough would have both surveyors come for a meeting. Attorney Nicholls said he will contact the borough’s engineer and will get a letter to Mr. DeMarco. Mr. DeMarco said he does not want a problem with setbacks, if in the future he needs a permit.

A.Whitiak, 512 Garfield Avenue, said that he often sees kids when he is on his way home between 10:30 and 12:30 and asked ‘ where are the parents’? He also had concerns over the financial report, stating he has never seem the balance so low. K.Hosie said council is working on it now.

Mr. J. Smith addressed Mr. Whitiak and said one of the problems is that our insurance package has gone up from \$43,000.00 to \$89,000.00. Another is the Bridge Street Project at a cost of \$100,000.00, the borough had to borrow the money and have an obligation of \$20,000 a year for five years. He explained that ammunition for the police department is \$9,500.00 a year. At this point we have to be very careful.

Mr. Whitiak said the roads will just get worse from winter into spring. Mr. Smith said we have a five year note for our last paving project. The last time we paved in the fourth year of the loan and financed the balance for the fifth year, hopefully we will be able to take the same approach in our next round of paving. Mr. Smith said if the borough had the money we would pave every road.

K. Hosie explained the Borough has to obtain permission from the State to borrow funds and they will not let us borrow large amounts of money like Jessup and surrounding towns.

J. Smith explained that in 2012 police fuel cost was \$8,400.00, the budget cost for 2014 is \$18,000.00. He said one mill is only \$8,400.00, the insurance package alone is 10 ½ mills, this is a big concern.

Mr. Whitiak addressed something that he heard through the rumor mill and asked council to use level heads, so no one is embarrassed. K. Hosie responded that executive session is only used for personnel and council does not embarrass anyone.

Mr. DeMarco asked if ordinances can be changed so that an infrastructure problem does not fall back on the taxpayer. Mr. Rood explained that Mr. DeMarco means that Jermyn has no protection in an infrastructure project, that an independent inspector should be hired of the Borough's choice.

Attorney Nicholls said the sub-division ordinance can be changed. Mr. Rood said the ordinance needs to be looked at as it is unfair to the taxpayers.

Mr. Mark said Jermyn is the poorest town in the county and the second smallest, with only 800 and some homes. The Borough has no room for development, we are land locked. He explained years ago we could pave 10 to 12 streets with our liquid fuels allocation, now because of the asphalt index we can only do four streets.

Mr. Art Wilson mentioned a wage tax increase. Attorney Nicholls said he has researched the issue and called Pennsylvania Association of Boroughs and we cannot raise it. Mr. Wilson said we need to go to our legislators to have the law changed.

FINANCE– A motion was made to pay invoices in the amount of \$11,916.56 by A.J. Fuga, seconded by J. Allan. All members were in favor.

ZONING – Zoning Officer B. Chase said a special exemption was granted by the Zoning Hearing Board to the residence at 401 Washington Avenue for the purpose of counseling.

NEW BUSINESS:

K. Hosie announced there will be a special meeting on November 18 at 6:00 p.m. to adopt the proposed budget.

BUREAU VERITAS– A motion was made to extend our contract with Bureau Veritas to 12-31-2014 by J.Mark, seconded by W.Estile. All members were in favor.

BACON STREET SEWER PROJECT -Council reviewed the plans for the Bacon Street Sewer Project, the total cost of the project would be \$49,000.00. Mr. Rood said he does not think the taxpayers should be settled with this cost. He said he has concerns over the property line survey and also the easement. He understood the project could be done and then bring legal action against Gerald Raymond, but he does not trust the court system. Mr.Rood said Mr. Raymond does not care if Jermyn accepts the roads in Raymond Estates. As long as the DPW keep cleaning the manhole he will be all right.

Mrs. Hosie asked if the first option would be acceptable to Mr. Rood. Where Rockbottom gave the borough a quote for \$4,500.00? Mr. Rood said yes it is.

Mr. DeMarco asked about litigation? Attorney Nicholls said two people will make money if the borough sues Mr. Raymond, himself and Mr. Raymonds' attorney. Even if the borough wins a judgment, it is not easy to collect it. Mr. Fuga said he will contact Rockbottom to see if the quote of \$4,500.00 is still feasible.

ACTING CHIEF WILLIAM ARTHUR – A motion was made to appoint William Arthur as Acting Chief until the next meeting or Chief Zellers returns by A.J.Fuga, seconded by W.Estile. All members were in favor.

At this time K.Hosie thanked J.Wilson for her time working in the borough office. The Position will not be filled because of financial issues.

Mayor Smallacombe said he contacted the borough engineer to have T&D Power post bonds for Bonnie Drive, Chestnut Street and Hudson Street , because of the heavy truck traffic.

Mr. Mark took this time to thank A.J.Fuga for the time he has served on Council.

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