

Jermyn Borough  
**Council Minutes**  
May 18, 2017

The Jermyn Borough Council held a council meeting on May 18, 2017 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn, PA in the Council Chambers.

On roll call present were: Frank Kulick, Robert Parks, John Mark, Dan Markey, Kevin Napoli, Joseph Smith and JoAnne Wilson. Also present were Mayor Smallacombe, Junior Councilmen; Evan Samuelsen and Dylan Reeves, Dennis Kutch, Robert Chase, Ray Rood and Atty. Christopher Harrison.

**MINUTES:**

A motion was made by Mrs. Wilson to accept the May 4, 2017 minutes, seconded by Mr. Napoli; all in favor, motion carried.

**Treasurer's Report:**

General Fund \$182,920.96; Liquid Fuels \$4,548.51; Refuse \$128,951.62; Recycling \$21,216.06. Disbursements are from April 21, 2017 to May 18, 2017 \$65,836.12, Deposits \$171,789.62. A motion was made by Mr. Markey and seconded by Mr. Mark to accept the treasurer's report as presented. All in favor; motion carried.

**Junior Councilman:**

Council made a presentation to our Junior Councilman Dylan Reeves. This will be Dylan's last meeting. He will be graduating from Lakeland and continuing his education at Penn State in the fall. They thanked him for his service in the Borough.

**Mayor Report:**

Mayor said the police department is running well as always, citizen reports back to him are very good. He has not had a complaint from anyone. Mayor said they were busy directing traffic control with the big equipment coming through to go to the energy plant. Police stepped up their speed enforcement on 107 and Main, also people running stop signs. They are doing their house watch checks and business checks. There has been a lot of ATV action in town. There have also been some garbage citations and abandoned vehicles. Mayor said everything else seems to be going very good. The variety show is coming up Sunday at 2:00 p.m. it supports 5 organizations, all 5 organizations get \$2 for every ticket sold. Our local artist Dani-Elle Kleha will be performing before she goes off to Nashville. Mayor said there will be a lot of local people that can sing; it should be a good show. Mayor congratulated Tony Cerminaro for his big win in the Boston Marathon.

**Police:**

Chief Arthur said they assisted with the big super load that came through to go to the power plant and one also came through today. There will also be another one coming in the near future. Chief Arthur said one of the services we provide here in a smaller town that you do not get in a big town is house checks. If you are going away or going on vacation you can stop in and we will

take your emergency contacts and address and we will check on your house multiple times a day. It is a good service you get from a small town. Chief Arthur said we ask the parents for the kids with the ATV's have to get them in control. They are doing what they can to enforce them as much as they could. There has been bear reports in town, it is now the time they are coming out and going through garbage. Chief Arthur asks that you secure your garbage and give the police a call when you spot a bear. When we build up several bear complaints, the Game Commission will take action and put a trap someplace in the area. If there are bears tearing up stuff and no one reports it then no one knows and we cannot take care of the problem. It is the summertime and more kids will be out, we ask everyone if they see kids that are out and up to something please give the police a call and they will check on it. We also have the curfew ordinance, if anyone sees kids out late at night; please call and we will take care of the issue. Chief Arthur said in the past week or so we had lot of property turned in that people found, cell phones and other items that have not been reported. He asks if residents lose their phone or wallet, call in and see if we have it.

### **Fire Chief:**

Mr. Rood asked said they bring the loads to the power plant through it causes problems for the fire dept. too and for the mutual aid companies that come in and help us during the day. They block traffic up and it would be nice if we knew about it. He did not know about the load coming through today. Mr. Rood said we need to be notified so we can make arrangements with other fire companies. We will not be able to get anything through if we are not notified. Chief Arthur said last time we were never notified they were coming down and we complained to the actual moving company that they need to notify us. Today he found out when they were at Rushbrook and Jefferson. Mr. Rood said he talked to comm. Center and they did not know anything about it. Mr. Kutch said he is working with the two companies at the power plant and he can speak to the traffic manager so they can notify the police. If the police are notified they can notify the fire department and the ambulance. Mr. Rood said they blocked all of Rushbrook going up almost from the Windsor to Bednash's. Mr. Rood said we should know their travel route and times because we use 107 to go out to fires in the country.

### **Zoning:**

Mr. Chase said he has had a lot of permits lately. He did about 17 so far this year. There have been a lot of sheds, decks, pools and fences. He had a complaint about some work being done, he checked on it and it is something that does not require a permit. He said just because someone is working on their house it does not mean they need a permit for example, patio, landscaping and gardening. There has been a lot of complaints about signs; the political signs. The end of Jefferson and Rushbrook there was a large sign placed. He has had several phone calls and he stopped and talked to the owner and the owner said someone else put it in his yard. The sign was moved. Mr. Chase said not to put political signs on Borough property. He asks whoever put the signs up please take them down. There has also been signs put on telephone poles, he contacted them and told them to take them down.

Mr. Markey said there was a resident who complained of noise pollution regarding the Verizon building. Mr. Chase said there are two issues with noise, what happens is if something is running periodically it shouldn't be heard from the property lines. Also a decimal level equivalence it cannot maximize. Mr. Chase asked Mr. Kutch if they had audible meters. Mr. Markey asked if

we can coordinate and go over there and see if we can use the meter. The general complaint is the generator that is over at the Verizon building. They put up a fence around it but it does not act as the sound barrier. Mr. Kutch said they can check that.

**Engineer:**

Mr. Kutch provided an estimate for the Borough building parking lot. Also, for the Community Development Block Grant. The estimate for the parking lot is around \$106,000. Some stuff may be eliminated, that is just an estimate. The drainage on Delaware estimate is for \$185,000, which is for the CDBG. There are limited funds available for the grant. Mayor asked how the issue on Lincoln Ave. is. Mr. Kutch said it is all fixed, Tony went up there during one of the rain storms and everything seemed fine. He has not heard any complaints. Mr. Hunt said it is working great but they are supposed to raise the pavement along by the driveway at his neighbor's. The water is coming down the hill and still going over the lip that is there. Mr. Parks said an asphalt curb. Mr. Kutch asked if they were supposed to put that in. Mr. Parks said yes. Mr. Kutch said he is not sure if it is even on the plan. Mr. Parks said we talked about it. Mr. Kutch said he is not sure if that was included in that contract with Andrew. Mr. Napoli said it was supposed to be part of it. Mrs. Wilson asked if we should get an estimate from KBA for an estimate for the paving of Old Mill Rd. Mr. Napoli said it was one of the roads on the list. Mr. Smith said it was an estimate for the paving and sanitary sewers. Mrs. Wilson asked if we can get an estimate just for paving. She said so far no one has complained about their sewer, there is no road there it is bad. Mr. Markey said most of the portions of Old Mill that are really bad might not even have sewer lines running underneath of them. He does not see the Borough tackling all of Old Mill and all of the Woodlands all at once. Mrs. Wilson said no one is complaining recently about the sewers. Mr. Parks said there was a blockage. Mr. Parks said if we put a new road and then what if the sewer collapses. Mr. Markey said we can possibly put in a new line at the grass there and not touch the pavement but it is best to make sure before you go pave the whole thing and start ripping it up. We discussed possible grant options. Mr. Kulick said this can be for planning for next year. Mr. Smith said we should have KBA go down and evaluate the situation down there; we had numerous complaints about the sewers. There is definitely a problem down Old Mill Rd. The DPW will go down and fill up the holes. Mr. Smith said he does not think we can do anything to the roads until we evaluate the sewer system. If the sewers have to be done that is where we should start on Old Mill Rd. Mrs. Wilson said that is why I am bringing it up now, it starts with KBA and we need to know the monies to go for a grant. Mr. Kutch said they did survey work there over the years, he is sure he has some data in the system and they can bring it all together and bring it to the next meeting and go from there. Mr. Parks said what was done was Storm Water runoff there was no sewer work. Mr. Kutch said they located some sewers. Mr. Markey said instead of a total replacement they have technology where you can line the insides and kill the roots and seal everything up to repair the lines. Mr. Kutch said that depends on the condition of the piping.

Mr. Kutch asked if the Sewer Authority claims any ownership for the sewers down Old Mill. Mr. Markey said no. He said one of the things we can do is put in a sewer management fee. Mr. Mark said we can do a frontage fee, which is what they did in the early 70's when they put the sewer systems in. Mr. Smith said we should have Mr. Kutch look at it and report back to council.

**Solicitor:**

The DPW garage sale will take place on or before June 7, 2017. Atty. Harrison said in terms of searching for the new site of the DPW building he asked if Powder Mill was considered Moon Rd. Mr. Rood said yes powder mill road was where Cemetery is now. Atty. Harrison said there are no records listed at the assessor's office, for Moon Rd. or Powder Mill Rd. Mrs. Wilson said Moon Rd., Mr. Savage had a lot of property there, on the right hand side he deeded 3 parcels to the vo-tech at that time. Atty. Harrison said the deed we have is from Mr. Savage. The resolution for the County Assessment will be for next meeting.

**Junior Council:**

Dylan Reeves thanked Council for letting him being a part of council.

**DPW:**

Mr. Markey said the new tractor arrived yesterday and Mr. Fuga said it is saving time on cutting with the 60 inch mower deck. Mr. Markey asked Mr. Parks if he ever got a hold of Bardanes in regards to the land that Bardanes owns for a new DPW garage. Mr. Parks will try and get a hold of him this week. Mr. Markey thanked Atty. Harrison for helping them looking through the tax maps and deeds for the land we own. Mr. Markey said we got 3 triaxles of millings so far, we have a lot more to do. If you are a spot that needs millings please be patient, we will get to you. We are going to try to get to some alley ways, Old Mill and Lane. We have a lot more to do and have more millings to use. This morning we had a company come in to do a demonstration on a machine, it is an asphalt mixer that takes millings and turns them into asphalt. Mrs. Wilson was present during the demonstration she said it was very impressive. Mr. Markey said it was not as expensive as he thought it was going to be but it probably ranges in the area of \$60,000-\$65,000. Mr. Markey said it is definitely a wish list item, something maybe we can save up for it. It would be a really nice piece of machinery for a town this size. Mrs. Wilson said there were two pieces of machinery, the other one was a crack sealer. Mrs. Wilson said in a couple years we will need a good sealer. Mr. Lou Demarco said Leeward construction has the exact same machine and they would probably mobilize it if the quantity was right. Mayor Smallacombe said it is a good idea to bring up with the County; they can buy it and let the municipalities use it.

Mr. Markey said the DPW was at a safety day that was put on by PA1 Call. He said we are not just doing work around here but we are also dedicated to education and going to classes, learning about safety and roads.

The County is going to facilitate a projection tube TV/Monitor drop off. The municipalities will host it. There is not a set date yet. When it becomes available it will be advertised.

Mr. Markey asked Mr. Mark about the new DPW vehicle. Mr. Mark said he talked to the representative the paperwork is coming out in June, we will fill it out and money will be coming in late October, early November of this year.

**Safety:**

Mr. Napoli said he has not met with the chief's and assistant chiefs yet in regards to the fire/EMS tax break ordinance.

Mr. Napoli said the safety committee did an interview with Anthony Russo. A motion was made by Mr. Napoli on the recommendation of the safety committee and Mayor Smallacombe to hire

Anthony Russo as a part time police officer at the standard training rate, seconded by Mr. Markey. All in favor; motion carried.

**Recreation:**

Mr. Markey said they will hold a reorganization meeting next month. We need a voting body. He thinks we would be ok right now with 5 voting members. We are looking for people that will help out for events.

**Shade Tree:**

Mrs. Wilson asked if the DPW can top the trees from Kennedy's to Maple St. since they have a bucket truck it would make it a lot easier. Mrs. Wilson said Shade Tree has done trimming, all trees on Main will be mulched. They will have someone cutting and fertilizing. They cannot get the grass pavers they wanted. They are looking into getting a distributor for them. Mr. Lou Demarco said he can get her the distributors and can get her further information.

Mrs. Wilson said she had a discussion with some residents in town. One concern she has is the hedges on Division coming out of Shields ct. She cannot see coming out. Mr. Chase said he will talk to them. Mrs. Wilson said the bank manager is very concerned about the one way sign coming out of the one way drive. The sign is sticking out onto the sidewalk and the bank manager had complaints from people. Mr. Parks said the one way sign is the banks. Mrs. Wilson said it is not their sign. Mr. Markey said it is not our road. Mrs. Wilson said pedestrians have bumped into the sign and asked if the DPW can remove the sign. Mr. Markey said they cannot remove the sign it is private property. Basil Kleha said the State put that sign there and it is on state property. Basil Kleha said it is a safety problem. Mrs. Wilson said the 600 block of Davis, behind Battenberg's is bad and has holes and asked if DPW can do something. Mr. Markey said we might rent an asphalt spreader for the alleyways. It should alleviate some of the problems. Mrs. Wilson said also the 700 block of Mellow Ct. that is up behind Mr. Hunt's. The 300 block of Davis Ct. off of Maple also has pretty big holes.

**Finance:**

Mr. Smith said the Finance Committee met and they talked about the first quarter and what happened financially within the Borough. As we go forward everyone is aware of the limitations that we all face financially within in the borough. The 6 months report after our meeting will be a little more detailed and at that time we will invite the accountant to come and review what we are doing and where we stand.

**Crime Watch:**

Mr. Kulick said Randy Parry and Joe Beilman resigned from the Crime Watch. There was a meeting Monday night. Mr. Kulick put himself on the committee to try and keep it going. Vlad Kitchura also signed up. They are going ahead with the night out in August.

**CBDG:**

**Community Block Development Grant:** KBA provided an estimate for drainage on Delaware for the grant. Mr. Parks said our costs would be the engineering costs. Mr. Parks said we can piece the project if we do not get an x amount we can go block by block. Mr. Kutch said we can start with grading it. Mr. Kutch asked if Delaware will qualify. Mr. Parks said it should. A

motion was made by Mr. Parks and seconded by Mr. Napoli to pass resolution #8-17 for the CBDG to submit a proposal for \$185,000; borough will provide \$18,000 in local costs. All in favor; motion carried.

**Gym Doors:**

Mrs. Wilson said the gym doors are complete and she had Mr. Rood inspect them. Mr. Rood said there are some areas where you will get some air through. Mayor said there are 3 big gaps in it. Mr. Rood suggested putting a sweep on the inside. Mr. Rood said in regards to fire safety they are safe. Mrs. Wilson said she can call them back. Mr. Smith said if they are not done properly he suggests call them back before we pay.

**Lincoln Ave:**

Mr. Kulick asked if we are going to hold off on the check until we know if the original specs include the paved lip. Mr. Kutch looked over the plans and he did not see the raising of the curb included in the specs. Mr. Parks said we discussed this and what we talked about was to raise the berm. Mr. Kutch said he will find out. Mr. Markey read aloud the April 6, 2017 minutes regarding 720 Lincoln and it was said they will do a little bit more of a paved lip.

**Johnson Ct.:**

Mr. Smith said a resident was concerned and to see if we can do anything about getting the light back there. Mr. Parks said PPL does not charge for the pole but they charge the light. Mr. Mark said in the past there have been residents that asked if we can put lights in alleyways. He said we never did because the light will shine in other people's yards and have people asking for lights in all alleyways. Mr. Napoli said he lives in one of the alleyways and they had to put lights themselves up on the house to make sure it was lit. He suggested the resident put a motion light on her garage to keep it lit.

**Public Comment:**

Mr. Rood said he is sitting here adding up numbers, all the equipment the DPW has will have to sit outside now, where are we going to get the money to put up a new garage. Mr. Kulick said part of the reason for getting rid of the old DPW garage was the costs of maintaining, repairing it and heating it. Mr. Rood said if they blocked the steps going upstairs and put a door at the bottom and shut the heat off they could have done the same thing at the lower level and some insulation added. Our equipment will sit outside now all winter and rot quicker. Mr. Markey said for what we are looking at building with the sale of DPW garage and recycling truck it will put up a pretty good new DPW garage. Mr. Rood said he doubts it, he is in construction. He does not think the cost of the building is realistic to real people. He said even though you are a borough an engineer has to get involved in designing it, so you have costs there. Mr. Mark said he is in favor of a new DPW garage but we are getting a little bit of ahead of ourselves with these costs analysts and how much we are going to pay for the DPW garage. One thing we are forgetting is it a public building and labor and industry has to come in and approve the building. It has to go to the engineer. First thing is we have to find a piece of land, then have someone draw it and do the specs because we are going to do a building labor and industry won't approve it and we are going to have all that money in something that cannot be occupied. Mr. Kutch said it is not labor and industry it is our third party inspection, labor and industry does not do that anymore. Mr. Mark said he is afraid we are going to put a building up and not going to be able to use it. Mr.

Kutch said a metal building will be the least expensive way to go. Mr. Kutch asked if we are going to be doing repairs in there, welding; that kind of stuff adds to the electrical cost. He said he can get them some sample plans that were done for other municipalities and we can get a general idea of the square foot costs. He asked how many bays we are looking at. Mr. Markey said three. Mr. Rood said the \$40,000 we got for the DPW garage will get eaten up with just costs of equipment being left outside, if we have to buy land and now we have to travel back and forth to get salt and the costs to put up a new building. Mr. Rood said he knows we aren't talking about a fancy building but there are still costs involved.

Lou Demarco asked how long the alleyway by convenient will be shut down, where UGI is working. They are looking for a gas leak. Mrs. Wilson said they were tamping it down late afternoon so it's assumed they are finishing up.

Lou Demarco thanked the DPW for taking care of the area in front of his house; they did a really nice job.

Bob Chase said on Delaware where the underpass is, DPW put the stone down and it did not wash away at all. It was really nice.

Donna Stackel asked if 402 Delaware ever got done. Mr. Markey said no, we have to go flush the drain pipe out. She said she would really appreciate it.

Mr. Kulick said the fireman's convention is looking for ads. A full page is \$120.00. Mr. Markey asked what we would advertise. Mr. Mark said we should all chip in and buy a full page ad, that's the way we always done it when something is going on like that. Mrs. Wilson said all of council's name will be on it and if the Mayor wants his name on it.

#### **New Business:**

Mr. Markey said he received 2 phone calls yesterday requesting we discuss the Jermyn Baseball batting cages that were never constructed over at the park. There were some disagreements about some zoning issues about where the batting cage was supposed to go. A phone call was from a concerned parent. It was discussed a year and a half ago. Bob Chase said it was because it was close to a former council person's back yard and they didn't want it there. Mr. Markey said yes it was a zoning issue. Bob Chase said it has nothing to do with zoning. Mr. Markey said Jermyn Youth Sports wants to go ahead with the batting cage with council's permission. It would be within 4 ft. away from someone else's property. Mayor said it would be nice right along the first base line. Mr. Parks said they had it for a couple of years now. Mr. Markey said one of the thoughts one of the parents had was to put it right next to the dirt pile by the shed. Mr. Kulick said they need to come to us on where they are going to put it before we say it's ok. Mr. Markey said he will go back to baseball and decide on where it has to go. The pouring of the concrete pad is going to be donated.

Mr. Markey said there are a few of us councilman that got together and are selling some mugs and t-shirts. They are also taking orders for hooded sweatshirts. All of the proceeds are going towards new Christmas lights in town. They are almost at their goal right now, to buy one of the lights. They want to make enough to meet their goal, purchase one of the lights and present it to the Holiday Lights Committee. If they get one of the lights up in town this holiday season

coming up then they might be able to engage the public interest into some more donations to get new lights. There are other municipalities who are really upgrading with their LED's and decorations. Donna Stackel asked how much the lights are. Mr. Markey said there are candles, snowman, toy soldiers and they are all pole decorations. They start around \$550 and can go up to well over \$1,000. Mr. Mark said last time the vendor that produced the lights came in and made presentations on them on what they have and what they were. At the time we got the lights last time, the wreaths came out of a mall in New Jersey used. The price was around \$50,000 for that and we had fundraisers. The vast majority of the money came from Mr. Staback. Mr. Markey said they are looking into doing some other fundraisers instead of just merchandise. Mr. Mark said a lot of the angels came from Archbald.

Mrs. Wilson said, she has a letter she just received in her meeting folder. At the last May 4<sup>th</sup> meeting, she had spoken of how highly regarded Ann and Leo Moskovitz was by the Shade Tree Commission. The letter is from Mrs. Moskovitz's financial attorney to her attention for the JSTC on Mrs. Ann Moskovitz's behalf with a donation to the Shade Tree Commission in memory of her late husband I. Leo Moskovitz. Mrs. Wilson stated, the JSTC will be thrilled and very much appreciative of the donation. It will enable the JSTC to accomplish projects placed on hold. Mrs. Wilson said Anne and Leo have always taken pride in Jermyn. They believe that if you have a town that is welcoming and aesthetic looking as you travel through, then people will stop and visit. Visiting restaurants, seeing neighbors, and maybe think about making their home here. They have made known this concept through the years and have supported the JSTC and others in town. The Jermyn Shade Tree Commission publicly thanks them and will carry on this concept...."Jermyn Proud".

Mayor asked Chief Arthur if he can move the Humvee so we have enough parking spots for Sunday.

A motion was made by Mr. Napoli and seconded by Mr. Markey to adjourn the meeting at 9:00 p.m. All in favor; motion carried.