

## **Jermyn Borough**

### **COUNCIL MINUTES**

**AUGUST 16, 2018**

The Jermyn Borough Council held their monthly meeting on August 16, 2018 at 7:00 p.m. at the Jermyn Community Center, 440 Jefferson Avenue, Jermyn PA in the Council Chambers. President Frank Kulick called the meeting to order with the Pledge of Allegiance. President Kulick asked for a moment of silence for Mary Perrault, who passed yesterday. He noted Mrs. Perrault was very active in the Borough for many years in numerous committees and activities.

On roll call: present were: Frank Kulick, Dan Markey, Kevin Napoli, Carl Tomaine, Cynthia Stephens, and JoAnne Wilson (asst. secretary, non-voting member due to secretary position). Absent was Kristen Dougherty. Also present were: Mayor Fuga, Solicitor Aquilino, Fire Chief Ray Rood, Zoning officer Bob Chase, KBA representative Tony Grizzanti.

#### **MINUTES:**

Mr. Dan Markey corrected Page 1 concerning Walmart and donation wording. (Minutes of July 19, 2018 have been corrected and filed.) Motion to accept the minutes as corrected by Mr. Markey, seconded by Mr. Napoli. All present voted in favor. Motion carried.

#### **JERMYN ALUMNI ASSOCIATION:**

Mr. Kulick called the Jermyn Alumni Association representatives forward. Mrs. Daley, secretary/treasurer of the Association, presented Mayor Fuga, chairman of the Jermyn Light Committee, a check to be used for the Christmas lights in Jermyn. Mayor Fuga expressed his appreciation for the very generous gift and assured the Association the monetary gift will be put to good use and used wisely to decorate the town at Christmas.

#### **CODE ENFORCEMENT OFFICER: Citation Hearings**

Code Enforcement Officer Aquilino stated we have 15 property owners who were asked to be present at tonight's meeting to review the citations concerning their properties.

571 to 577 Washington Avenue, the Maciuska property. I understand that Mr. Sheridan is here to discuss an issue related to the property. Is anyone here to represent the Maciuska property. No one came forward. Attorney Joseph Toczydlowski asked to speak representing Mr. Sheridan, who is under contract to purchase the Maciuska property. Attorney Toczydlowski noted he had met with Code Enforcement Officer here prior to the meeting,. He found out about the citations against the property. Attorney Toczydlowski didn't know what these citations are. Ultimately, we will have to get that

information. Mr. Sheridan is a resident and has purchased other properties and rehabbed them. However, the issue is that the property lacks off street property. We have to follow the zoning codes. His intention at this point is to use one unit for a small hair and nail saloon, and another for a small taxidermy shop, and remaining 2 units for resident apartments. The type of businesses are allowed in the C-1 classification. We are looking at the parking for C1 zone 3 parking spaces for each. We will need a variance through the Zoning Hearing Board. He has good intentions for the properties and will get the property back to one that the borough can be proud of. I am willing to work with the Borough, Mr. Sheridan, Code Enforcement officer, and Zoning. Mr. Sheridan has good intentions of establishing businesses on main street and upkeeping the property.

The Enforcement Officer thanked him for his input. He stated the citations are for the street level property. I assume he, Mr. Sheridan, is buying 571 to 577 property, one building. After purchase and rehab, he will have to apply for rental unit permits for the property. Then they will be inspected and the issues with the former owner will be handled at that time of inspection.

Mr. Chase, zoning officer, stated he spoke with Mr. Sheridan concerning standard issues in zoning. The business has been closed for more than a year. No one wants to see vacant businesses in Jermyrn, but basically we can work with him. We spoke about parking. The required spaces would be 7 spaces. Code reads 2 spaces for each apartment and then I am not sure if you were thinking of 1 or 2 businesses. I do know there was a problem with the occupancy of street level apartment. We can come to some kind of an agreement. We have issues that we have to sit down and discuss. Mr. Chase noted, if you put in 7 spaces, would we have an issue with impervious ground causing water problems. Enforcement officer stated, Mr. Sheridan and his attorney should stay in contact with Mr. Chase and himself about the rental properties and anything related to progress. I will put this hold. Attorney Toczydlowski stated we will keep communication lines open with the Code Enforcement officer and Mr. Chase, and see the property is put to its best use to benefit the neighbors and community.

525 Jefferson Avenue – Vasilios and Stephanie Syndetos property owners. The concrete wall that was removed and it is growing 10 feet tall knotweed and it is unsightly but it is harboring insects and animals that are digging under the neighbors fence. We are asking that you get the weeds cut down and remove the rubble. Mr. Syndetos has asked for an estimate to remove it. He indicated that it was there before I moved there, so why wasn't the previous owner asked to remove it. I was hired in February, I am not responsible for anything before February. the Borough Council has enlisted me to enforce. With the intent to require to review the Borough Code, that is why I am not suggesting prior council or code enforcement officer did anything inappropriate I am following the code. What about the road behind my property that keeps flooding and keeps flooding my yard and neighbors. I do not have the authority but during public commit you can discuss that issue. Mr. Syndetos stated, I will have it done before the end of next week. Keep me informed as to when it is done.

536 Washington Ave fire damaged property – Mr. Rood stated he knows the guy who owes it; maybe I can help with the issue or get an answer. Code Enforcement Officer, I

have had some minimal contact with respect to this one. So it will go in the public record, the properties that were selected for code enforcement during the second round are properties where specific complaints, not anonymous ones were made. They were somewhat of an issue and were investigated. Anything were a police officer or fireman could be injured in the dark on a property. I think, that this is the property that has a half of a deck on the back, and 536 or 542 where there is no decking, it goes down to a concrete floor; and if a policeman were investigating in that area, they would fall 8 to 10 feet to the concrete. These are main issues.

Mr. Rood asked, "did you send him anything?" Officer Aquilino stated, "Yes, that is how he got on the list for tonight". Mr. Rood stated He usually contacts me. I will contact him again. 536 Washington was contacted about 2 to 3 weeks ago. Mr. Rood will contact him again. He indicated, he did one drawing to tear down the building, and then, he decided to put in cubicles pre-manufactured. Now, the last time, he was going to repair it. I think, the repair is going to be done in the fall or in the winter. His workers can then stay in town. I will inform him to contact you. Officer Aquilino, stated some of these properties have been in a static condition for a while, but it would be nice to hear a plan. For the record, the owner's name is Mr. Peter Glass.

542 Washington Avenue – Code enforcement officer spoke to the owner, Vitucci family . They have some long term plans to discuss. We will be working with the direction of council to give her a specific time frame for that building.

708 Madison Avenue – No one came forward. Officer Aquilino noted, this one will be sent to the magistrate.

517 Madison Avenue – He noted that the property is collecting 30 some tires on the side of the house. It will be sent to the district justice.

512 Madison Avenue – He noted junk and tires being collected on property. It will also be sent to the magistrate.

122 Bacon Street -No came forward. No means of front porch or back porch, no means of entry/exit. This will be sent to the magistrate.

121 Bacon Street – Young's property. Mr. Chase stated, he was contacted by Mr. Young to help him place a railing on the raised pool decking. I told him I would help him, due to his health condition. Code Officer would it be less than 60 days? Mr. Chase stated yes and probably less than 60 days. It is my time frame. Code Officer noted, it is only the one item to be done.

330 McKinley Avenue – No came forward. There is a collapsing shed. No response to notice. It will go to the district magistrate.

20 Evergreen Drive – Benitz property. No response. He needs more information on this property. Whether or not it is abandoned. It could be in Archbald. A comment was made that they may be in Archbald. The father's home is in Jermyn. The Benitz (son) home in back is in Archbald. Officer Aquilino will have to look into this further. Action will be postponed for 30 days.

419 Jefferson Avenue – Collapsed fencing. No one came forward. Communication was made and promises made. I will give them a few more weeks for compliance.

311 Bacon Street – No one came forward. Mr. Markey stated he had a message from him. He needs 15 more days. Code Officer 15 days it is.

646 Madison Avenue – A neighbor came forward. Code Enforcement Officer stated, unfortunately the house was sold. The neighbor stated, it is not sold yet, it is still pending. Officer Aquilino noted, he will reach out to the current owner again, and hope this does not hold up the sale. The pine trees are unkept and are splitting off branches and needles. If they crack off, it will go through my house, the neighbor indicated. Code Officer stated it will be taken care of either by current owner or new owner.

32 Old Mill Road – Neighbors are present. Mary Ann Bachak owner came forward. I received a letter concerning trees that are on the property line that are in violation that are dying. Code Officer stated that they are one wind storm away from causing a big problem. Mrs. Bachak stated she is receiving only social security and the trees will cost a lot, which I cannot afford. Three or four trees, I contacted Titan Tree twice and asked to leave a message and I could not leave a message it was full. My cousin said he would do it for me, but I never saw him again. I also called JC tree in Mount Cobb and I called him twice and he said he would come tomorrow to look at them. He has a cherry picker to use. Code Officer asked she would let him know what happens. She would like to know if anyone has a recommendation. Code Officer has one and when we talk on Monday I will give it to you. It is not someone the borough recommends. The letter is addressed to my deceased husband and myself and on likewise on the second page. Code Officer stated he will take care of the error in address stated on the letter of 34 Old Mill Road. Mrs. Bachak would like to know the time frame. Code Officer stated, when he talks to you on Monday, we will discuss it then.

**CORRESPONDENCE:**

None.

**PUBLIC COMMENT:**

Kaitlyn English from Lackawanna County listed the following activities and events:

Lackawanna County Senior Health Fair to be held on September 14<sup>th</sup> at PNC field from 10 am to 1 pm. Flu Shots Refreshments, activities, drug takeback and health screenings.

Prescription Drug Take-Back Program Listing will be posted in the Jermyn Borough building and for more information visit [www.ddap.pa.gov](http://www.ddap.pa.gov).

Lackawanna heritage Valley are announcing the start of another round of partnership grants. The deadline to submit is September 7<sup>th</sup> at noon. For more information [heritage@lhva.org](mailto:heritage@lhva.org).

Gypsy Moth Suppression program public request for treatment contact the County's gypsy moth program coordinator Mike Chisdock at 570-963-6850.

Strength Training classes offered by Penn State Extension to register or for more information call 1-877-345-0691 or <http://extension.psu.edu/lackawanna/events>. Deadline is August 27<sup>th</sup>.

Remembering Our Fallen National Memorial to be held on September 7 to the 11<sup>th</sup> at McDade Park, Scranton. Viewing hours are dawn until dusk. Opening ceremony will be Saturday, September 8<sup>th</sup> at 2:00 p.m. For more information contact 570-262-3572, Gold Star Sibling Kendra Lynn

Mr. Carmen Carachilo, regarding his rental property of 411-413 (3 unit property) Rushbrook Street, he has a problem after the last heavy rains. In 2013 he lost land on his property about 10 feet x 30 feet, currently he was told he may lose approximately another 10 feet x 30 feet. He has a fence up and will have to put up a second fence due to the cracked ground and erosion. He is fearful of the safety of one of his tenants who have children. The borough engineer has come a few times and today came and was told by one of my tenants, it might be wise to move items stored under his porch area. He wishes that the Borough engineer would speak to this condition and what can be done.

Mr. Kulick acknowledged the representative from KBA, borough engineer, Mr. Tony Grizzanti. Mr. Grizzanti stated that Mr. Kutch had looked at the concrete barriers and baskets that was previously placed, and there could be a problem with the soil in the area. Mr. Kutch submitted a letter as to his findings, etc. Solicitor asked what is the basis of the borough being responsible for this property. Mr. Carachilo feels the creek water is washing away the soil. The solicitor noted it is private property and is not subject to any municipal program or easement, or anything like that, it would not be the borough's problem. The question is, if you or the borough is not going to do anything, I will have to place the second fence for safety of my tenants. What is going on with the Rushbrook Creek project? I am losing property and it is becoming a safety problem.

Mr. Kulick has stated tentative start date now is 2022. We have done everything we can and tried to push this project forward. We are disappointed too. Mr. Carachilo stated at the corner of Lincoln and Rushbrook Street, when the flood of 2003 occurred, they placed a block stone wall to secure his property. Why did they not continue to my property? It is someone's responsibility to secure my property from the Creek water. The reason they did that the foundation of the house was undermined and they placed the blocks and back-filled, and it was the flood monies at that time.

Mr. Grizzanti noted in Mr. Kutch's letter, he indicated he will return to reassess the area/property again. He will then report to the Council his opinion as to his findings and then the Council will take it under consideration. Mr. Grizzanti suggested Mr. Carachilo put up the fence and not wait. Mr. Carachilo will place the fence for safety.

Mr. Peter Smith one of the tenants who live at 413 Rushbrook Street. I was there when they inspected the area, the land is breaking away and sliding into the creek. You could see the creaks and it has sunk more since Mr. Kutch has been there. We have lived there for 18 years. The Creek project has been going on for some 15 years now. I have sent letters to Bob Casey and Joh Blake and spoke to his office this morning. I asked for emergency monies to shore-up this property up. The government who started this project should finish it. I have sent letters and phone calls to our Senators and Representatives. Senator Blake gave me a name of Mr. Haun in the County and he stated to go through the county for emergency services monies. Council questioned, who was there today stating to move items out from under the porch? Mr. Carachilo and Mr. Smith were not present. They were told by the neighbor's wife what was stated. Council stated no one from the Borough was there today and Mr. Grizzanti stated Mr. Kutch was not there nor he. He does not think it was anyone from KBA.

Mr. Robert Chase of the Artisan Fire Company. He would like to invite everyone to the 88<sup>th</sup> Annual Volunteer Firemen's Federation Convention to be held in Jermyn on September 14<sup>th</sup> and September 15<sup>th</sup>. Memorial Service will be held at the UMC church on Washington Avenue Saturday morning and the parade will start at 2:00 pm. They have arranged for food vendors, beverages and live music on the Artisan Fire company grounds on Maple Street. The public is invited.

#### **TREASURER'S REPORT:**

Mrs. Wilson gave the following report:

General Fund – \$31,310.04, Paving -\$398.41, Liquid Fuels interest -\$69,271.69, Checking Refuse-\$89,005.04, checking Liquid Fuels-\$25.54, Checking Recycling-\$7,546.69, Checking DARE-\$28.10, Checking Holiday Light-\$1,348.85, Checking Recreation-\$7,455.22, Capital Reserve-\$59,441.73, Investments— General Fund-\$1.39, Recycling-\$1.33, Refuse-\$2,493.32, Dept. of Hwy-\$43,994.79, Paving Fund-\$11.43, Prepaid Expenses-Other \$1,900.00, Total Current Assets \$314.233.57

At this time, Mr. Markey asked if she has submitted the paper work for the truck? She noted, she has the bills. She is looking for the grant for information. She needs to know if there is more paper work needed, signatures, etc. and to whom all of the final paper work is to be sent for final reimbursement. As soon as she finds the information either on computer or in the files, it will be immediately forward to the proper department/person. Mrs. Wilson noted the USDA concerning the loan, she called Chuck today regarding what is outstanding and she has not heard from him. She asked if the profit and loss statement she gave Mr. Markey for Chuck was what he wanted. Mr. Markey has not spoken to him. Mrs. Wilson will help with other items needed.

Total Liabilities is \$1,710.91, Total Liabilities & Capital is \$314.233.57. Mr. Garvey prepared this Treasurer's Report. The borough has approximately \$100,000.00 profit. Not counting the Principal on the loan and truck.

Motion made by Mr. Markey, seconded by Mrs. Stephens to accept the Treasurer's Report and Bill Payable as presented. All present voted in favor. Motion carried.

## **SECRETARY'S REPORT:**

Mrs. Wilson has had a meeting with Mr. Garvey concerning the exit review of accounts. He is processing his findings. I am assuming all is in order. Exit review will be available for the September meeting. Mr. Garvey is more than happy to assist in training the new secretary/treasurer in accounting practices. Mr. Garvey suggested that the borough's IT install the Sage Accounting program on Computer #2, so that all computers have the ability to have 2 people working on the accounting, etc. It would make it much easier also for auditing and assisting. FNB Bank representatives visited and are available for advising the new hire.

Meeting with EMC representative (insurance provider), Mr. Ken M. Shankle, GSP, on review of last year's questions and the status of them being implemented. It was concerning the Borough's vehicles and drivers, and the 2 fire companies and their drivers, etc. Spoke to DGK and they stated they have the list. In a few weeks, the list will be sent to us and we will then have to update it. We have already started the updating. Called Mr. Shankle and informed him that the DGK has them on file and if there are any questions to forward his concerns to them.

We have received 8 requests for Rapid Cast, and many calls for brush and tree pick-ups; permits for zoning and construction. Calls received for trash pick-up mattresses, etc. and requests for bins. County Waste has been very cooperative.

Working on closing out grant for truck and the USDA Loan. The usual day to day activities, payment of bills and deposits, filing, and any other office related tasks have been completed.

Mr. Markey asked that Mr. Moros be contacted and asked to comply with Mr. Garvey's request. Mr. Markey also asked that the all in one be installed for all computers and the large copier. Mrs. Wilson stated, that Mr. Garvey would like excel be installed. Mrs. Wilson noted we have excel, etc. in office, but not in the accounting area. It would be very helpful in the accounting and auditing. Mr. Kulick would like all the office equipment be updated.

## **CODE ENFORCEMENT OFFICER: Citation Hearing**

Mr. Kulick acknowledge Mrs. Vitucci of 542 Washington Avenue. Mrs. Vitucci is responding to the letter received from the Code Enforcement officer. She will respond to what she can, because she has not had the time to work everything out. All the windows will be replaced by the end of September. She realizes the letter wants them boarded up. She spoke to the Code Enforcement officer, he noted as long as the windows are glass, that would be acceptable. On the back decking we got a quote to take it down and fill in the hole and put in cider blocks. It was an addition and when they built it, they made holes for doorways in the foundation, so we now have to re-cider block that area. We got a quote for \$10,000.00. Unfortunately, I do not have \$10,000.00. This is a project that has to wait for funds. We are looking at probably from 12 to 18 months. Code enforcement officer here is my concern with that. The windows are one thing, but if the fire department has to respond to that home, there is a safety issue. If fire and police departments respond or to one of the neighboring homes

and are going through that back yard, someone could be seriously injured, paralyzed, or killed. Something has to be done to ensue that does not happen. She indicated there is no power or gas, all meters have been pulled. Mr. Rood asked if there is a light in your backyard; she indicated yes. Code Officer stated install a fencing to secure the area and make it visible at night. Code Officer asked what are the future plans. She stated the building is structural sound and she would like to remove the back addition, fill it in and plant grass. The front little addition remove it and then either extend the porch or make a grass area. Finally, paint and maintain it. We would like to install all the utilities and put an office in there, and maybe make it a place for our mothers who are getting older. Code officer asked when they bought the building? She indicated October, 2017. Our original intent was to do something with making it functional, so let's buy it and do it. Code Officer wants the fence up within a reasonable time. She indicated 3 to 4 weeks. With power to garage, he wants led lighting that is triggered by movement, so if responders are there, it light up the area for their safety. Please keep in contact with me. Mrs. Vitucci agreed.

### **POLICE CHIEF REPORT:**

Chief Arthur distributed his monthly police report on all activities within the police department. He stated they have had an audit by the Pa Commission of Criminal Juvenile Delinquency. They look into our policies and how we hold and deal with the juveniles and our reporting. It is a Federal and State reporting system on how you handle them. We had no violations. We had 2 police officers training by JTex. It is a PA justice network. It allows us to run sensitive information for ongoing investigations. We arrested two juveniles for burglary and several arrests for drugs, etc.

### **FIRE CHIEF REPORT:**

Chief Rood indicated the fire companies had their problems with flooding. We had a Creek watch. A big concern of mine for the record; if you go up and down Rushbrook, we usually look at Lincoln Avenue bridge and we have markings on the opposite side of the bridge south. They are hard to see. The brush is getting terrible. Hopefully, we can do something. Madison Avenue, Jefferson Avenue looking up river, and at Lincoln, I try to look and see how bad things are, and you cannot see. I have a concern with the trees that came down, and from my understanding, that is the problem with the Windsor Inn because it is in his property. In that area, If that one tree comes down, it will land on Brenzel's building. I know it is not the boroughs problem, but it should be taken care of. Next coming week, the State will be auditing the firemen's refunds. When we get the report back it will be shared with the council.

Mr. Markey stated the DPW clears the brush once a year. When the river goes down, the DPW and part-timers will have the river brush cleared. Wayne's parking lot was cleared along the Creek. Mr. Chase stated that the sign company, La-Mar, cleared their area and kept going along the river. They did a good job.

Chief Rood noted the Crystal Fire Company is holding their Chicken BarBQ this coming Sunday. Tickets are available.

Mr. Kulick would like to commend both fire companies, during the potential flooding. I witnessed the cooperation between the two units and it was terrific and how they handled the situation and the residents. Thank you for all your work.

### **ZONING OFFICER REPORT:**

Zoning officer Chase noted, as stated by Mrs. Wilson, he had several permits and he has one that has some dimensions missing, but I'll contact them. We have had fences, sheds, etc. I had gone with Officer Russo to 119 Franklin on August 8<sup>th</sup> and knocked on the door for about 40 minutes and left the letter in the door. I came back and the letter was gone. Basically, it stated you have 10 days to respond. I have sent registered and regular letters. All unclaimed Mr. Markey stated the owner is Fredrick Witman Jr. The shed is too close to the property line and sidewalk and I have tried to move it. He asked, why did you wait to tell me after I moved it. I told him I didn't know you were going to move it. Code enforcement Officer will handle it from here.

### **ENGINEER REPORT:**

Mr. Grizzanti stated most of his report will be questions to council on on-going projects. I heard JoAnne mentioned something about the DPW garage. We have something for the site, HVAC and plumbing is done. What is the schedule and about the USDA loan. Mr. Markey stated, as far as everything stands right now, we have everything we asked from KBA. Thank you for the site plans, and etc. We are still working on the USDA application. Chuck gave us a list of some items we need and our lines of communication were interrupted by vacations and illness. We will let KBA know when we are ready to move forward.

The other item, JoAnne and I discussed it and we decided we would ask about it tonight, we received money for the sewers down in the Woodlands area. The first thing is that you are going to do is video where are the worst spots to spend that initial monies. It will be soon November, if you are going to do something that would be a survey. We should schedule the surveyors after videoing and know the spots we are going to do. Then work on it during the winter months. In spring we can be ready to go with the project. Mayor Fuga stated the gentleman, that is going to camera it, will be doing it in about 1 or 2 weeks.

Updating, you have money from the Lackawanna County ComD on drainage project on Delaware Street. This is going through the environmental process, because the end of project hits the underpass, making it slightly in the flood plane. So they have to do the environmental resource study. They should be ready in the spring. We will survey and design it after the study. This project will probably sit until next spring.

Mr. Rood asked about the underpass flooding. The underpass is not in this project. They are working on Delaware Street. Mayor Fuga stated that most of the water is coming from Bonnie Drive. It looks like a river when it rains hard. That is the biggest problem and Mr. Grizzanti agrees. The underpass drain cannot handle all the water going into that drain. Mr. Rood asked, Is there a place that you could put a holding pond. Mayor stated there is a spot, but it is not our land, nor the Pallet Company's land. The area is Bardane's property.

Mr. Grizzanti asked if there were any questions or concerns. Council had none.

**CODE OFFICER REPORT:**

No further business, it was all handled at the citation hearings.

**MAYOR REPORT:**

Mayor Fuga informed on the ATV enforcement we had. Our police department had a great idea and used it to their advantaged with the ATV problem. We have not had any complaints and it was well received by our residents and the trail walkers. In the future we will look at other options to have available.

**SOLICITOR:**

Nothing more.

**COMMITTEE REPORTS**

ORDINANCE – CYNTHIA STEPHENS:

Nothing at this time.

PUBLIC SAFETY – KEVIN NAPOLI:

Mr. Napoli stated, he would like to thank the police department for having a great showing at the Mayfield Night out. Chief Arthur and Officer Russo both had cars there. It was a great showing from one community to another. Noting, Artisan Fire company hosting the Convention and Crystal's Chicken BarBQ.

At 8:05 pm on Monday, I got a call from Chief Rood asking President Kulick and myself to report to the Crystal Fire company for the possibility of evacuation of a number of citizens due to how high the creek was getting. The reason I mention 8:05 pm, because at 8:05 pm, he made a couple phone calls, and by 8:30 p.m. – 25 minutes later – we had the police chief, fire chiefs of both the Crystal and Artisan companies, almost all of the fire police, and extra police on standby, as well as, the on duty police officer, and EMA director in house with plan in hand, and William Walker with their Swift Water Team ready to respond, if necessary. In 25 minutes they accomplished everything that would have been needed. We had everything that was needed, if we had some kind emergency. I personally, as the Public Safety Chairman, can't thank everyone one of them enough, because they made it so easy to have access to everything we needed at that point. Bob Chase, Ray Rood, Frank Kulick, Jimmy Allan, myself, it was just very nice to see all, and also Mayor Fuga was there. I just wanted to make sure the public understands that everything came together exactly the way it should, in case we had a disaster. The public should be aware that it all came together quickly and efficiently. Mr. Markey also notified all residents on rapid cast.

Last, but not least, with this rain we have been getting and being called out, I think that the council should have rain coats that distinguish themselves from everyone else that

is there. When I was at the Crystal Fire Company, there were a lot of people in and out, and I think, we should have something that people know who we are. Mr. Napoli moved, seconded by Mrs. Stephens, to provide the Mayor and Council members with rain coat and vest with the distinction of Borough Official on the back of them. All present voted in favor. Motion carried.

#### DPW – DAN MARKEY:

Please sign up for Rapid Cast – free alerts by phone, text, emails for all residents. Rapid cast came in handy this last Monday night. Telling them a Non-emergency, but get ready just in case and the Creek was being monitored and to stay alert. Call Borough office or send email to the borough secretary giving your information to sign up for Rapid Cast.

DPW –I am working with JoAnne to get the reimbursement for the truck. We did receive the new truck, it is very nice and will be decaled. Submission of paper work will be done as soon as possible. Concerning the DPW building, one of things the USDA is looking for is a motion where we voted to apply for the loan for the PDW building through the USDA. We have discussed it and other opinions and solutions. We didn't have any objections, but we formally did not have a motion.

Mr. Markey moved, to apply for a loan for the DPW building through the USDA for approximately \$165,000.00, seconded by Mr. Napoli. All present voted in favor. Motion carried.

JoAnne, please add a copy of these minutes to the loan application.

DPW cuts the grass at Callahan Park and they probably spend a good hour, picking up trash before they can cut the grass. So I urge and encourage everyone please use the trash and recycling cans. Please try to keep our borough neat and clean.

Mr. Markey stated, we, the borough have been approached by R N L Carriers, Inc., which is a trucking company. They would like to put up an 80 bay trucking company, across the street from Rapid Pallet Company, on Bonnie Drive, Jermyn. The building is going to cost 7 .5 million They are going to spend 2 to 2.5 million to acquire the land. They are looking for tax abatements through the Lerta program. The borough, school district, and the county all have to agree on the tax abatements, if we are going to provide it to the RNL Carriers. They have already attended a school board meeting, along with myself , Mayor Fuga and Mr. Kulick. I was able to speak to the board, as a borough official. RNL sent a company representative to formally ask for tax abatement. They are asking for a 90% for year one, decreasing by 5 percent each year thereafter. In year 10 , it will be 60%, and in year 11 the program would be over, unless they ask for some type of renewal . They are looking at 60 acres and that includes the borough's 2+ acres . Mr. Markey noted, he cannot speak for council and we have never formally discussed this issue, but, as a represent of the borough, I am very excited over this. It will bring over 100 jobs to the borough. I think this would be a great opportunity. We have to hold a hearing regarding the Lerta program, to determine whether the plot of land is deteriorated enough for the tax abatement program. Information will be forthcoming . We will advertise the meeting. I just want to

make everyone aware. Jermyn is their number one – plan A. They have looked at Jessup, Archbald, and Olyphant and many sites.. They want to come to this area and want to come to Jermyn. They do have a back-up plan, if this doesn't work out. We met with the Jermyn Borough's Zoning officer and planning commission. They have determined that there is no zoning issues and no variances required. The land currently zoned I-8 , which is suitable for the company. We just want to get it on record that the council is interested in pursuing the RNL Carriers, Inc. tax abatement and their coming to Jermyn.

President Kulick stated, that at the other night's meeting of the Lakeland school board, they appointed a 3 person committee to work with the Borough 3 person committee, likewise the Jermyn Borough Council will appoint 3 person committee to work together. Mr. Kulick appointed himself, Mayor Fuga, and Dan Markey to serve on the committee. He stated, It is very exciting and we will move forward on this project. The RNL Carriers, Inc. has the pedal to the metal.

#### INTERVIEW COMMITTEE – CARL TOMAINE

Mr. Tomaine stated, we have advertised the position of secretary/treasurer vacancy. We received mixed responses and reviewed those interested in the position. We have interviewed seven (7) people. After this process, we have agreed on a candidate that was more suitable, and I would like to make a motion and present that candidate. Mr. Tomaine moved, seconded Mr. Markey, to hire Mrs. Kimberly Rosar, as the Borough's secretary/treasurer, at an hourly salary of \$13.00 per hour, starting September 4, 2018, subject to a six (6) month position and salary review. All present voted in favor. Motion carried.

Mr. Kulick called Mrs. Rosar to come forward to a welcoming round of applause. Mrs. Rosar will start permanently in the position after Labor Day. Due to her part-time work position, she will come in when available before hand to start training. Mrs. Wilson will start the training process to make it a smooth entry. Mrs. Rosar thanked the Council and looks forward to working with the Borough.

#### UCC PERMIT – DAN MARKEY

Mr. Markey would like to speak about the UCC permit. He is not going to get into it to deep. I think we have made a small loop hole in the way we handle the UCC permits and inspections for construction, mechanical, electrical, etc. In researching with the office and NEIC in a particular case, I don't think the borough has anything on file where if someone applies for a construction permit or some type of building or alternation, I do not think we require any type of insurance binder or proof of insurance from the contractor. I think that needs to be changed immediately.

Mr. Chase stated that should be a requirement. As zoning officer, I require them to give me proof of insurance sent directly from the insurance carrier pertaining to that job to the borough office. That is my common practice.

Mr. Markey stated without this insurance proof, It can become a night mare for the homeowner. I would like a motion, because it is the borough that will keep it on file and

not the building inspectors. Do we need an ordinance. Solicitor stated, an ordinance is in order.

Mr. Markey moved, seconded by Mr. Napoli, authorizing the solicitor to draw-up said ordinance, when someone applies for a permit through the UCC, unless the contractor is listed as self, the contractor and subcontractor(s) will supply proof of insurance and name the borough as additional insured, which must be submitted from the insurance company directly to the Borough prior to the permit being issued. All present voted in favor. Motion carried.

A discussion ensued. Solicitor stated, you want it naming the borough as a certificate holder on the policy. Solicitor understands what they are saying and asked, certificate holder or additional insured? Mr. Tomaine noted, usually it is not an issue from the insurance company. It should be additional insured and the Borough will be covered. A discussion ensued concerning how would it help the person who is having work done, having the Borough listed as insured. Mr. Tomaine stated an example, I am the contractor. I have insurance, and I present certificate to the borough proof of insurance, but borough is added as an additional insured. It is an extra layer and the Borough can file a claim. Solicitor will include the Borough as additional insured in the ordinance.

Mr. Kulick wanted to note, our Code Enforcement Officer has and continues to do his job seriously. One of things, we promised to do, was to clean up the town the best we can. I appreciate everything the Code Officer is doing in his role and we continue to support and give him the tools he needs to do his job.

### MRS WILSON

Mrs. Wilson asked to be recognized as liaison to the Shade Tree Commission and Events Committee.

Mrs. Wilson reported, the Shade Tree Commission is sponsoring a flu shot event for Jermyn residents and surrounding communities. Rite-Aid pharmacy has contacted us. They will supply all materials and the certified immunizer, who is a pharmacist Mr. Hine, at no cost to the Shade Tree or borough. Tentative dates have been scheduled for the end of September or beginning of October. His time schedule will be on a Saturday from 11 am to 1 pm and on a Tuesday evening from 6 pm to 8 pm. All are welcome All that is needed is the person needs to bring their prescription card. If they want to pay out-of-pocket, the cost per shot is \$39.99. All those receiving the shots, if they would like, the information will be forwarded to their own doctor for inclusion in their medical file. There will be a variety of flu shots, so seniors need not worry. The JSTC membership will be there to assist with this event. Hopefully, we have the council's blessing.

The Memorial garden is in the process of being cleaned up and re-planted. The Shade Tree will be co-sponsoring the Veterans Day Annual Ceremony. Veterans Day, November 11<sup>th</sup>, falls on a Sunday, so the date and time will be confirmed with the American Legion, church, and school district.

Shade Tree has another community service person who needs 80 hours. The John's Corn Farmers market is doing well. Hopefully, they will return next year. Those taking advantage of the market are well pleased with the produce and items available.

Events Committee has placed and planted the beautiful flower pots throughout town. The pots and flowers will be removed in early September. Anyone wishing to help with this activity, please contact Anne Boylan. We need men to help.

Mr. Kulick sees that she has information concerning a bicycle rack and any other items; he would like to place it on the agenda for the next meeting. Mrs. Wilson that is fine.

Mr. Kulick asked for any other business.

#### **HOWARD LOT:**

Mr. Markey asked the code officer about the Joe Howard and his empty Washington Avenue lot. Code officer replied he has been cited for growth of jungle weeds and empty car. He has made a lot of promises.

#### **BUSINESS PERMIT ORDINANCE:**

Mr. Markey has old business. He asked where are we with the business ordinance permit? Did that die or is that being re-written? Solicitor is re-writing the ordinance. Mr. Markey would like it for the next meeting in September. He is hearing taxidermy business and other business mentioned.

He also would like to know what is happening at the Beer Man business? Is there a new rental to an auto business in the side of the building? It is an auto detailing shop. Mr. Chase said that basically they cannot do spray painting/painting, but the code is fine with detailing. The Mayor stated that his understanding is, he is renting it out to owners of Romar Motor in Blakely/Peckville. They are using it as a repair shop, and are detailing cars they are selling. When they are slow, they will change oil, and there is a lot coming in and out at times. It will not become a major repair shop. Mr. Chase stated, the Beer Man wanted to make sure he was within code, before he rented that area of the building to them. We sat down and reviewed the code book. He wanted to make sure that there was not any problems. It is the perfect shop for that area. Residents have not had a problem, so far. It is low key and not noisy or produces smells. The owner of Beer Man is very cooperative and is a team player and he wants everything done properly.

Mr. Napoli moved, since there is no further business, seconded by Mr. Markey, to adjourn the meeting. Meeting adjourned at 9:11 p.m.

Respectfully submitted

JoAnne T. Wilson, Assistant Secretary