

Jermyn Borough

Council Meeting

1/17/19

The Jermyn Borough Council held a council meeting on Thursday, January 17, 2019 at 7:00 pm in Council Chambers of the Jermyn Borough Building, 440 Jefferson Ave, Jermyn PA.

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, Jennifer Schreiner, Kevin Napoli, Carl Tomaine, Joanne Wilson, and Cynthia Stephens. Attorney Aquilino Mayor Fuga and Bob Chase (joined at 7:08pm) were also present. Kristen Dougherty, Ray Rood, Ann Marie DeSanto and KBA were absent.

Minutes:

A motion was made by K. Napoli to accept the minutes of 1/3/19 as presented. Seconded by C. Stephens. All in favor, motion carried.

Treasurer's Report: D. Markey gave the treasurer's report:

Jermyn Borough
Balance Sheet
As of January 17, 2019

		Jan 17, 19
ASSETS		
Current Assets		
Checking/Savings		
DPW Capital Reserve	▶ 30,026.58 ◀	
General Fund - Community	96,969.25	
Holiday Lights	3,320.20	
Investment - General Fund	1.39	
Investment - Liquid Fuels	44,391.13	
Investment - Paving Fund	11.53	
Investment - Recycling	1.33	
Investment - Refuse	2,514.93	
Liquid Fuels - Community	25.54	
Petty Cash	166.01	
Recycling - Community	8,716.86	
Refuse Checking - FNB	54,220.29	
100050 - FNB General Fund	399.48	
100052 - Liquid Fuels - FNB	20,588.33	
100125 - Crime Watch Account	1,274.55	
100800 - Jermyn Recreations Commission	15,886.31	
Total Checking/Savings	<u>278,513.71</u>	
Total Current Assets	<u>278,513.71</u>	
TOTAL ASSETS	<u>278,513.71</u>	

LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
200000 · Accounts Payable	17,592.58
Total Accounts Payable	17,592.58
Other Current Liabilities	
210000 · Withholding - Federal Income Tx	1,196.20
210100 · Withholding - Social Security	1,592.36
210200 · Withholding - Medicare	372.41
210300 · Withholding - State Tax	394.23
210400 · Withholding - PA Unemployment	373.70
210500 · Withholding - Local Tax	150.42
210900 · Withholding - Pension/401K	470.52
Total Other Current Liabilities	4,549.84
Total Current Liabilities	22,142.42
Total Liabilities	22,142.42
Equity	
30000 · Opening Balance Equity	250,950.03
32000 · Retained Earnings	-2,724.18
Net Income	8,145.44
Total Equity	256,371.29
TOTAL LIABILITIES & EQUITY	278,513.71

D. Markey made a slight correction to the bills presented, advising that according to PSAB & auditor Brian Kelly's office, the Mayor should receive payroll payment and cut his donation checks after he receives payment. A motion was made by K. Napoli to accept the treasurer's report and pay the bills as presented. Seconded by J. Schreiner. All in favor, motion carried.

Correspondence:

F. Kulick stated that he received 2 pieces of correspondence, which he will review during the Finance Committee Report.

Public Comment: James Perry, President of William Walker Hose Company, Mayfield, PA. He is accompanied by Assistant Chief David Price. Mr. Perry gave handouts to council explaining William Walker's current situation. William Walker had a paid EMT for 12 hours per day from 7:00 am to 7:00 pm, contracted through Cottage Hose Company. Cottage Hose Company has decided to terminate that contract, leaving no EMT to staff William Walker during the day. He explained the breakdown in billing while the contract with Cottage was in force, and how William Walker would have a shortfall after Cottage removes themselves permanently at the end of January, 2019. Subscriptions are solicited from area residents: \$35/person, \$50/family. If someone needing EMT service has a subscription, the patient balance is waived by William Walker. In order to handle calls, they need to hire daytime EMT's. They are also looking to have either Jermyn or Mayfield handle the payroll through the borough, which the company will reimburse. Also, they are looking to add the EMT's to one of the borough's workman's comp policies. The company is looking for approximately \$8,000 between Mayfield and Jermyn boroughs to make up the shortfalls. F. Kulick asked where the EMT's will come from. Mr. Perry stated many of the workers are currently working for them now. F. Kulick asked whether they would be employees or independent contractors? Mr. Perry stated he was not sure. C. Tomaine asked how it works through other boroughs. Mr. Perry stated in Archbald borough, the borough is paying for the

workman's comp, but the ambulance company is hiring the personnel. C. Tomaine asked who is in charge during a call? W. Aquilino clarified that he believes C. Tomaine is asking about whether the employees are to be termed as per diem employees or independent contractors. K. Napoli stated that if you treat the EMTs as independent contractors, and have to issue 1099 forms, you won't find anyone, because they don't want to have to deal with the headache of the taxes, etc. Mr. Price explained the difference between being an EMT for Commonwealth or Penn Ambulance is they are running all day long, non-stop, where William Walker is just running calls when 911 is called. F. Kulick asked what type of difficulty they will have staffing the positions? Mr. Perry stated they don't believe they'll have issues. F. Kulick asked what happens when there is a shift in which they cannot cover? Mr. Price stated they will try to fill the schedule with volunteers. K. Napoli stated there are about 6-8 volunteer EMTs. D. Markey asked what happens when Cottage completely breaks off? Mr. Perry stated that William Walker will get dispatched. Mr. Perry stated that they don't expect any decisions from council tonight, but they will need to start planning soon. Chief Arthur commended Mr. Perry for helping the Jermyn Police Department, specifically their vehicles when electronics and wiring need to be run, he is always helpful towards the department. Council thanked Mr. Perry.

D. Markey briefly reviewed the flyers sent from Lackawanna County, as well as the Jermyn Youth Sports signups & scholarships, and the PSAB annual conference signups.

Reports:

Police Chief: Chief Arthur reported 4296 incidents in 2018, as compared to 6500 in 2017. Officer certifications have been completed. The police attended a school safety meeting, and policies were reviewed with all police departments in the Lakeland School District. Chief Arthur reported on the bullying reporting program through the state. Training was completed at the Community Bank in Jermyn for holdup procedures. 2019 Juvenile Certification was completed, and stop sign enforcement was increased recently. School bus safety is a high priority right now, and the Chief reported a few motorists blowing past stopped school buses, which has been a nationwide problem recently. Also church crossings and house watch checks are still happening. J. Wilson stated that there is intersection safety problems at the corner by Battenberg Funeral Home. She asked about flickering lights in the middle of the road. Mayor Fuga stated if we can get PENNDOT to allow us to put a crosswalk there, we can erect pedestrian signs with flashing yellow lights. He stated he would also love to see one at the church on Washington as well, but we need to get permission for crosswalks from PENNDOT. He stated he brought this up when he was on council, but it didn't go anywhere, and they were told that they can't get crosswalks. F. Kulick asked D. Markey to check with PENNDOT to see what we can do.

Fire Chief: K. Napoli shared the 2018 Jermyn Fire Department call totals in Ray Rood's absence. 92 total calls for the year.

Zoning: B. Chase is working with the Planning Commission on a sub-division for the Woodlands. He spoke with T. Grizzanti from KBA regarding different issues, including sewers, electricity, etc. He said there are some things to clarify prior to approval. He also spoke with Lackawanna County as to who approved the application, and no one knows. B. Chase stated it's supposed to go through the borough first, and then the county, and this application went in reverse. He also stated he will be meeting with Tri-Star Daycare Tuesday, 1/22/19 at 5pm. He will notify K. Napoli.

Mayor: Nothing at this time.

Engineer: Absent

Tax Collector: Absent

Solicitor: W. Aquilino stated he is currently receiving job descriptions from D. Markey, and he also received the current borough handbook. Within the next couple meetings, he will present to council for further input.

Code Enforcement : W. Aquilino reports that he is currently working with the owner of 511-513 Washington Ave. regarding code violations in the building. He expects reports from NEIC & KBA either later this week or early next week. He states this also reinforces the idea to inspect multi-family units and ensure code compliance. Meeting with D. Markey regarding 2019 rental permits, the people who haven't yet applied for permits have until the end of the month, then they will be sent a letter. He also states it's a good idea to have the borough listed as a certificate holder on insurance policies, since we would then get notified if a policy is cancelled. C. Tomaine asked if the borough should be a certificate holder or an additional insured? W. Aquilino stated Additional Insured would be best. C. Tomaine will request information from a few insurance companies he writes for. W. Aquilino stated we are also working on abandoned vehicles with the police department, and they are skirting the law by moving them from the street to the lawn, back and forth, etc.

Planning Commission: Meeting Tuesday, 1/22/19 at 7:00 pm

Recreation: D. Markey reported we have Lakeland Youth Basketball season going on, many birthday parties lately, and a plan for the gym, including floor replacement, painting, and LED light replacement.

Shade Tree: J. Wilson stated she currently doesn't have the account balance, but Shade Tree Commission met, they are working on Phase 2 of the Hometown Heroes banners. There is a 35 page contract with PPL. J. Wilson would like to have solicitor review the contract prior to execution. C. Tomaine stated he attended the meeting, and the Shade Tree Commission is working in earnest towards phase 2 of the banners. J. Wilson stated phase 1 was easier because we own the decorative lights. She also stated they spoke about MS4, Vinnie Catrone from Penn State Extension and John Mandarano from KBA were there. Shade Tree will do anything expected from them by the MS4 Committee.

DPW: T. Fuga reported we are ready for the upcoming storm.

Public Safety: K. Napoli has nothing to report.

Finance: F. Kulick stated we have two requests for garbage fee reimbursement, notarized affidavits, however, we can only go back 1 year, not all the way back to 2013. We also do not have proof from the tax collector that the garbage fees were paid. D. Markey will obtain proof from the tax collector that the garbage fees were paid. F. Kulick also stated that the affidavits should be submitted quarterly, not yearly.

MS4: J. Schreiner attended the Shade Tree meeting in which the MS4 was discussed, and will be giving the report. She stated that the borough needs to make a plan and execute. Public information, workshops, and classes are good to do. We also need to list stakeholders, businesses, employees, etc. and make sure everyone is up to speed with duties. Also hold a meeting with Rapid Pallet since they are so close to the river. With our parking lot, we need to make sure we pave with the MS4 in mind. Grants are available along the way through DEP and PAWC for projects. Shade Tree Commission will help out however they can; rain gardens, etc. The MS4 & DPW Committees need to get with KBA and make a plan going forward to fulfill our permit obligations. The plan can be revised, as long as items are planned prior to being executed. F. Kulick stated this MS4 is a lot more serious than we thought. B. Chase stated a lot of communities are rejecting it. T. Fuga stated they can't reject it, because it's a federal mandate and the communities would face fines. B. Chase said Maryland and New York rejected it, and Luzerne County is having a meeting regarding the watershed fees. C. Tomaine stated that meeting is regarding stormwater fees, and the MS4 is different. T. Fuga stated the bigger

communities and cities are different than us. J. Schreiner stated that she was advised eventually we may all have stormwater fees. D. Markey stated that the current law is that you cannot have a stormwater runoff fee without an authority. They are trying to change the law, however that is the current law.

Grants: D. Markey is currently working on the 902 Grant paperwork to complete and send back to DEP for the Leaf Vacuum.

Borough Manager: D. Markey reported he transitioned from Sage to Quickbooks, and transition is nearing completion. The new auditor will be in shortly to begin work on the 2018 DCED audit, and D. Markey is working on gathering information for them. We received two renewal letters from Vladika Insurance, one of them was for a treasurer's bond, which we already had through DGK, and the other was an "All Other Officers" bond for \$5K. We are researching the possibility of backdating cancellation of the treasurer's bond. J. Wilson stated the Historical Society has an insurance policy through Vladika. D. Markey stated he's working on year end reports: Liquid Fuels, Pension Plan, Recycling, various DCED reports, etc. With the county offices moving to the Globe Store, we received an email from the Scranton Lackawanna Human Development Agency stating furniture is available for free, and we picked up various items including: two desks, twenty chairs for council chambers, white board for the police station, bulletin board for the side stairwell, battery cart, folding tables, shelving unit, water cooler, office supplies, etc. D. Markey thanked the Scranton Lackawanna Human Development Agency, and advised we would be willing to help them when they have programs for Jermyn, we will assist in getting the word out, use of the building for distribution, etc. There will be a special election on March 12th to replace the seat that was won by Sid Michaels Kavulich. The elections office would like us to wait until after the primary election in May to replace the gym floor. D. Markey also stated that we need to discuss the possibility of changing the polling location from the gym to one of the fire halls for the following reasons: 1. The host company would receive \$75 per election, 2. The host company would be able to supplement their income by having food sales, etc during elections, and 3. The new gym floor may become damaged with the machines, tables, chairs, shoes, etc. We have a year to discuss it and make a decision. B. Chase asked D. Markey to submit a letter to each fire company. K. Napoli asked if it had to be at the same company every year. D. Markey stated yes, he asked the same question, and if it could be held at Crystal Fire Co one year and Artisan Fire Co the next year, and the elections office stated it would need to stay in one place. D. Markey stated it would benefit the fire companies more than it would benefit the borough. D. Markey also stated he received a 2019 Inspection Rate Schedule, and they would like us to vote to accept it prior to March 1, so they can implement their new schedule. We would not need an ordinance or resolution, just a vote of council. D. Markey stated this won't affect the borough monetarily. B. Chase stated it will. He stated Ray Rood, Dennis Kutch, and himself sat down and negotiated rates with the UCC companies. He asked D. Markey to try to obtain a new schedule from BIU also and send BIU and NEIC rates to himself, D. Kutch, and R. Rood to review. D. Markey stated he will scan and email them to everyone. If anyone has any questions, D. Markey can call NEIC to discuss. D. Markey reminded council that everyone has ethics statements in their packets as well.

Grant Funding: D. Markey reported we have a lot of things we'd like to do this year with grant funding, and we received a quote for a Revenue Anticipation Note from FNB. D. Markey asked council if he should approach other banks as well. We would be receiving approximately \$280K in grant funding for all approved projects/equipment. A motion was made by F. Kulick to allow the borough manager to solicit loan proposals relative to the grant programs from local banks. Seconded by K. Napoli. All in favor, motion carried.

Business Permit Ordinance: F. Kulick stated the Business Permit Ordinance 01-2019 was duly advertised and ready to be voted for final approval. A motion was made by J. Schreiner to pass Ordinance 01-2019 Business Registration Ordinance. Seconded by C. Stephens. All in favor, motion carried.

Rushbrook Creek Project Grant: F. Kulick stated that D. Markey received correspondence stating that the Rushbrook Creek grant of \$385,000 will be expiring on 6/30/19, and the state was trying to extend it once more, however normally extensions do not go beyond five years. D. Markey reported that earlier today, he received a call from T. Grizzanti from KBA, stating that Larry West from Senator Blake's office phoned him stating the grant funding was running out tomorrow, and he was trying to get an emergency meeting with PA DEP and ACOE. F. Kulick stated it is his opinion that if the grant is not renewed, the borough should pull their sponsorship, and the county should repair/replace their bridges. F. Kulick stated that by his business in Olyphant, someone was in the creek with a front end loader. F. Kulick stated that the problems are upstream, and someone needs to go clean things out up there. B. Chase stated it's standard erosion, and groups used to go in and do watershed restoration years back. D. Markey asked the county to advise Jermyn Borough whether or not the grant receives the proper extension. Basil Kleha stated we need someone here from the federal side, whether a Senator or Representative.

Girl Scout Corner: K. Napoli has not yet met with the Scout Leader regarding the ask.

Rates for Electric: F. Kulick asked D. Markey if he met with Northern Safety regarding the gym lights. D. Markey stated not yet, however we may be able to switch out our current lights with LED. D. Markey also reported the borough has a broker for our electricity accounts, and the broker would like to see if she can renew our contract. More research is being conducted with Kinect Energy, formerly On Demand Energy. C. Tomaine stated we should call other companies that do the same thing and comparison shop.

Woodlands Sewer Video: T. Fuga reported the video is about 85% complete. The camera had to be sent to New Jersey for maintenance, and when it is returned, he will finish. Some sections of the sewer will need to be replaced, but it doesn't look as bad as it initially did. There are two buried manholes that All American Rooter will uncover with the jetter to minimize damage.

Parking Lot Paving: KBA will be discussing with us the paving project sometime next week. KBA will be ready to have the project out to bid in February.

Rental Unit Permit Update: About 119 permit applications were sent out, and we've had about 80 return so far. Some applications were submitted with incomplete information or other information, and didn't comply after phone calls. Those applications will be returned to the applicant, and permits will not be issued until the problems are corrected.

New Business: C. Stephens reported the traffic light stays on red for a very long time late at night. She stated she waited over four minutes, then went through it. D. Markey stated you can do that now, the law changed. Chief Arthur stated you need to wait a reasonable amount of time. Chief Arthur also stated that when they come in to fix the traffic lights, that issue should be resolved.

William Walker: F. Kulick stated he believes we should speak tonight in some detail about the asks of William Walker on Jermyn Borough. He asked for ideas. K. Napoli stated they are requesting about \$4000 from Jermyn. He stated we would not be handling the workman's comp. K. Napoli met with Mr. Perry yesterday, and asked him to come to council, and the letter Jermyn Council was given was just a copy of the letter that Mayfield received. If Mayfield didn't agree to do the payroll, they would like to pass the payroll through Jermyn Borough. W. Aquilino stated he's not sure of the ramifications if they are on our payroll. It's

something that would need to be looked into. F. Kulick stated we need to look into where we find the \$4K to help them. D. Markey stated he thinks the finance committee should meet to discuss further. C. Tomaine stated he believes it should be limited to one year, and be year to year, based on financial health, etc. K. Napoli stated he's a member there, and he's believing they are just looking for startup help and he doesn't believe that they would continue the ask if William Walker begins to turn a profit. Regarding Workman's Comp, C. Tomaine stated that he believes the companies that offer WC are comparable. F. Kulick stated that council needs to agree that Jermyn Borough's involvement will be financial in nature only, not taking on new employees, adding to payroll or workman's comp, etc. Also, the finance committee should meet to determine where the funding should come from. A motion was made by F. Kulick for Jermyn Borough to consider only a financial contribution towards William Walker for help with staffing requirements, to be considered by the Finance Committee and voted at the next meeting. Seconded by C. Tomaine. All in favor, except K. Napoli, who abstained, due to the possibility of financial profit with William Walker in the role of EMT. Motion carried.

Adjournment: With no other business to come before the meeting, a motion was made by K. Napoli to adjourn, seconded by J. Wilson. All in favor, motion passed. The meeting adjourned at 9:13 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Daniel Markey". The signature is written in dark ink and is positioned to the left of the typed name.

Daniel Markey

Borough Manager