

Jermyn Borough

Council Meeting

6/6/19

The Jermyn Borough Council held a council meeting on Thursday, June 6, 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.

President Kulick asked everyone to remain standing for a moment of silence to commemorate the 75th Anniversary of the D Day Invasion, and all those that gave their lives that day.

On roll call, the following members were present: Frank Kulick, Kevin Napoli , Jennifer Schreiner, Cynthia Stephens, and Carl Tomaine. Joanne Wilson joined the meeting at 7:15 pm. Mayor Fuga, Attorney Aquilino, Bob Chase, and KBA were also present. Kristen Dougherty, Stanley Hallowich, and Ann Marie DeSanto were absent.

Minutes: A motion was made by C. Stephens to accept the minutes of 5/16/19 as presented. Seconded by K. Napoli. All in favor, motion carried.

Treasurer's Report: D. Markey read the treasurer's report as follows:

**Jermyn Borough
Balance Sheet**
As of June 6, 2019

	Jun 6, 19
ASSETS	
Current Assets	
Checking/Savings	
2019 Revenue Anticipation Note	280,483.94
DPW Capital Reserve	30,035.05
General Fund - Community	158,706.60
Holiday Lights	3,317.20
Investment - General Fund	1.39
Investment - Liquid Fuels	44,820.19
Investment - Paving Fund	11.63
Investment - Recycling	1.33
Investment - Refuse	2,539.81
Petty Cash	166.01
Recycling - Community	9,983.86
Refuse Checking - FNB	100,791.45
Shade Tree Commission	10,742.94
100050 · FNB General Fund	733.68
100052 · Liquid Fuels - FNB	52,237.17
100053 · Refuse - FNB	0.01
100125 · Crime Watch Account	752.59
100800 · Jermyn Recreations Commission	17,363.95
Total Checking/Savings	712,688.80
Accounts Receivable	
11000 · Accounts Receivable	4,673.63
Total Accounts Receivable	4,673.63
Total Current Assets	717,362.43
TOTAL ASSETS	717,362.43

▼ Liabilities	
▼ Current Liabilities	
▶ Accounts Payable	12,226.89 ◀
Total Current Liabilities	12,226.89
Total Liabilities	12,226.89
▶ Equity	705,135.54
TOTAL LIABILITIES & EQUITY	<u>717,362.43</u>

A motion was made by J. Schreiner to accept the treasurer's report and pay the bills as presented. Seconded by C. Stephens. All members in favor, motion carried.

Correspondence: F. Kulick read a letter about nominations for Mayor of the Year.

Public Comment: Kaitlyn English from Lackawanna County read flyers for Farmers Market vouchers, FEMA Flood Plain Management Ordinance Update Workshop, Lackawanna County 3 on 3 Basketball Tournament, Safety Fair, Penn State Extension Events, Trolley Museum Events.

Police Report: Chief Arthur advised there were 581 calls for this reporting period. Also, he has completed recertification for instructor, which means he can instruct our police department inhouse with various trainings. Two officers completed a search & seizure class. A police patrol bike was donated to the Jermyn Police Department by Simona America. Chief Arthur thanked Councilwoman Dougherty for all her work in making that happen. The Chief gave various reasons why the bicycle is such a great asset and will be a great fit for the Jermyn community. Speed enforcement continues, and the DPW laid down thermoplastic lines rather than line painting. The police are very happy with this. Operation Nighthawk will be ongoing this month, in conjunction with the Pennsylvania State Police. DUIs are the main target, but other violations may come as well. The bears are out, so the residents are urged to remove food sources; garbage, bird feeders, etc. School is ending soon, so everyone must be aware of children out during the day. Motorists should be mindful of the children in the street.

Zoning Officer: Zoning Officer Chase reported he's been getting more permit requests for pools, fences, sheds. He wants to remind everyone that there is an ordinance that does not allow satellite dishes to be installed in the front of houses. He stated when they are being installed is the only time he can catch them. D. Markey asked if it was enforceable after they're already up. B. Chase stated it would take him a week or two to go through and notify everyone. He also wanted to remind everyone to make sure they put dimensions on the application drawings. He doesn't refuse them; but rather he calls people to try to find out the information. F. Kulick asked what is in zoning about noise. B. Chase said it's in the ordinance about machinery, etc. but nothing for residents. D. Kutch stated the problem with Jermyn's ordinance is that it's based on an octave band, and we don't have the equipment to measure. He stated that's the issue with Mrs. Pidgeon's problem. We took decibel readings, but needed the octave band reading. When he contacted someone to do that, they do a lot of work for Verizon, so they thought it may be a conflict of interest.

D. Markey asked B. Chase if there was any movement on the illegal shed on the corner of Franklin & Madison. He stated not yet, he needs to figure out how to approach him. J. Schreiner states he's willing to move the shed, and she will go with Mr. Chase to speak with him.

Tax Collector: Absent.

Mayor's Report: Mayor Fuga had no report at this time.

Solicitor/Code Enforcement Officer: W. Aquilino reported he and D. Markey have been working on the garbage specs, and we will need direction from council as to what to do regarding the additional 52 units on Henry Drive.

R&L Carriers has provided a sample land sale contract, which will require substantial revision. He will have more by next meeting.

Code Enforcement – W. Aquilino has forwarded to Chief Arthur to file garbage citations for 642 Washington Ave, 423 Washington Ave, & 204 Bacon St. There are about 3 or 4 more that he has to submit.

There has been 1 chicken permit application, and he is working with the owner to find a date & time to inspect. He will work with D. Markey to create the permit.

If anyone has any complaints about overgrown grass, please let him know. There is one being worked on in the area of Rushbrook & Washington, & Rushbrook & Lincoln.

Mr. Wright has been invited to the meeting tonight to speak about 106-118 Rushbrook St, however no one is here, so additional action will be taken next week.

D. Markey stated that 99 Franklin St has been reported a few times regarding the grass. W. Aquilino stated we will start tracking some of those down.

D. Markey reported that he spoke with the property manager of 536 Washington Ave, and she stated that they will be tearing the building down.

J. Wilson apologized for being late, and asked if the Kilmer property has been brought up. D. Markey stated it's in the borough manager report.

Engineer: D. Kutch has nothing at this time.

Planning Commission: Nothing to report.

Public Safety: K. Napoli stated there was a pump training a few days ago. Chief Hallowich wants to get everyone acclimated with one another's trucks.

Recreations: Nothing to report.

Grants Committee: K. Dougherty is absent.

Shade Tree: J. Wilson reported there is planting & maintenance going on. F. Kulick asked if there is anything new with the Hometown Heroes. He asked when the next meeting is. J. Wilson stated she will get back to him about that.

Finance: F. Kulick reported the committee will begin planning the 2020 budget. F. Kulick asked about rental permit income. He stated it's a couple thousand dollars less than last year. D. Markey stated a lot of those funds came in 2018, and the report is January through May.

DPW: D. Markey reported that we killed the project with the USDA loan, and went back to basics with an equipment storage shed instead of a garage. This will have to go out for bid, but we did gather pricing on pole buildings. We received some different prices for a 40 x 70 x 14 building. One was around \$36K, and we are just looking to get our equipment out of the weather. If we want to finish it later, we can possibly look into a grant for the utilities, etc. D. Markey stated he went to five different banks, and requested to borrow up to

\$60K max for a 3-5 year term. He received 3 responses back: Community Bank was 3.6% for 5 years, 3.76% for 10 years, Honesdale National Bank was 5 years @ 3.85%, and FNB was 5 years @ 4.00%.

J. Wilson stated we already have a grant. The old building before it was sold, was supposed to be \$20K for Historical Society fixing up old garage, and \$30K for a new building. There is still \$50K not used. D. Markey stated the \$50K is to pave the parking lot. J. Wilson stated we would not be in this situation if we had done what we were originally planning to do. J. Wilson stated we don't need it out in front, it needs to be in the back. T. Fuga stated it can't go out back; there's not enough room. D. Markey stated there's a salt shed there. J. Wilson said behind the salt shed. J. Wilson said that's where the 2 bay garage was going to go. T. Fuga stated no, that was a carport, not a pole building. Also we couldn't put it in the back due to setback issues, which B. Chase confirmed. F. Kulick asked why we're arguing about this now? J. Wilson stated we should have never sold the building. K. Napoli asked why she voted yes? She asked what is one no vote? K. Napoli stated it's your voice. The heated discussion continued for several more minutes. B. Chase stated there may be issues with insulation, prevailing wage, etc. D. Markey stated a motion is required to go out to bid for the storage shed. K. Napoli asked do we need a concrete pad first? T. Fuga stated that's usually done afterwards. C. Tomaine asked if we have the size nailed down that we need? D. Markey stated yes, the 40 x 70 x14 is what we're looking at. D. Kutch stated to be mindful of the 2' differential from the front left corner to the right rear corner. A motion was made by K. Napoli to advertise for bid proposals for the DPW Equipment Storage Shed. Seconded by J. Schreiner. All members in favor, motion carried.

D. Markey reported that pot holes are being filled in between all the rain. J. Wilson asked about the 700 block of Mellow Ct. D. Markey stated it's completed. T. Fuga stated some streets were filled as well. D. Markey stated that prior to paving of alleyways, we were going to street sweep, and the street sweeper broke down. He is repairing it, and should be back here next week sometime so we can get the streets cleaned and asphalt put down.

The camera job on the Woodlands sewer is completed. KBA has copies of the discs. There are areas that need to be repaired, and one section requiring replacement, but we want to try to use most of the funds for paving.

The July Council Meeting is scheduled for July 4th, and needs to be rescheduled so we can advertise. It was decided to schedule on July 11th at 7pm.

The crosswalks at Battenberg Funeral Home require a highway occupancy permit, which D. Markey submitted, however, they require engineered plans, which KBA is working on.

Year three of the five year paving loan is due on July 12th. D. Markey asked for a motion to authorize him to pay the paving loan prior to the next council meeting. A motion was made by F. Kulick to authorize the borough manager to pay the third year of the paving loan on or before July 11, 2019. Seconded by K. Napoli. All members in favor, motion carried.

D. Markey asked J. Wilson if there will be a farmer's market this year? J. Wilson stated they are working on it, but it will not be the same vendor as last year. B. Chase advised where signage cannot go due to line of sight issues. If all goes well, should open by end of June.

D. Markey reported that the auditors completed the 2018 DCED audit. Council's packet includes 3 letters from the auditor, and council members, the mayor, and solicitor all have a copy of the DCED audit. If anyone else wishes to read it, a copy is retained at the borough office.

Gym lights have been converted to LED, the gym has been painted, and the floor project is under way. Much of the paint was donated by Sherwin Williams. The old bleachers can be reinstalled, however, we need to

screw them into the new floor. If council wishes not to do that, the rec committee can purchase mobile bleachers, 21' long, for about \$1400 each. We tried to save the painted blue jay in the middle of the floor, but the individual pieces of pine were cracking, so we were unable to. Donna Stackel asked where is the money coming from for the gym floor? D. Markey advised we got a grant. Mrs. Stackel stated there is a piece of wood covering the John Jermyn block out front. D. Markey stated we laid it down to protect the monument with heavy equipment going over it. K. Napoli stated it would be silly to put the old bleachers back in and nail them down to the floor. C. Tomaine agreed, and stated the mobile bleachers sound like they'll be a better fit. C. Tomaine stated we could only use two, because we can't put them behind each other. T. Fuga stated we can angle them on the floor. D. Markey suggested maybe saving one set and putting them on the wall of the stage between the windows. A motion was made by K. Napoli to sell five bleachers and donate the profits to the Recreation Commission. Seconded by J. Wilson. All members in favor, motion carried.

D. Markey stated there's an issue at the 600 block of Jefferson Ave between Mr. Goodwin & Mr. Kilmer. T. Fuga stated he went up there the one day that it was raining. There is a problem there, and it was caused by when the neighbor paved; he did the sidewalk and the swale, but they didn't swale it. They tried to match the contour of the road, but you can't do that. Since we don't pave curb to curb, these issues arise sometimes. The contractor should've put the swale in. D. Markey stated he heard from both parties. Mr. Goodwin stated before he paved, all the water came down the hill and stopped at his house, and his sidewalk took on all the water. He stated he rectified his problem, and now the water stops at Kilmer's house. Mr. Goodwin offered several different solutions for Mr. Kilmer, which were declined. F. Kulick asked what are we supposed to do? D. Markey stated that Mr. Kilmer believes it's a borough issue, and that before someone put in a driveway and the borough forced them to dig it up. F. Kulick stated we don't have any ordinances for driveways, etc. T. Fuga stated the reason the property owner was told to redo the driveway in the past is because the plow truck was hitting the concrete. D. Markey stated that Mr. Kilmer told him the sidewalks are borough property. D. Markey stated it is not borough property, it's his property, it's just a borough right of way, meaning we can go onto that portion of the property, if necessary, without permission. T. Fuga stated we should go wider next time we pave, and possibly put in curbs. W. Aquilino stated in a town this age, and the amount of rain we have, having a driveway ordinance putting responsibility on the borough to settle issues, we'd have to have a meeting every time it rains. It was determined to be a neighbor issue, and the borough will not get involved since there are no driveway or sidewalk ordinances.

D. Markey asked if we're going to wait for the bids to come back before awarding a funding source for the DPW storage shed? F. Kulick stated to wait until it's awarded.

D. Markey stated the holiday light thermometer is up at Scout Corner.

Garbage Contract: F. Kulick stated that if the Housing Authority wants to be included in bids, they will need to sign a three year contract with us. D. Markey stated the Housing Authority got rid of County Waste and hired Waste Management. They asked the borough to supply 52 recycling cans, and we advised them we no longer handle recycling. W. Aquilino asked if they no longer want to be involved in our bidding process? D. Markey stated he's unsure. W. Aquilino stated we would call down to ask. F. Kulick asked where we are at with the garbage contract? Are we getting close to going out to bid? D. Markey advised that in 2016, council voted to go out to bid in July, two legal ads were put in paper in August, bids due in September, awarded in October for November 1 contract start. D. Markey stated in the current bid contract, if the contractor mishandles or takes a personal garbage can of a resident, they must replace it on their own, or pay \$25 for reimbursement. Robert Tomaine had an issue where his garbage can was taken and never replaced. County Waste refused to purchase another one, and stated all they can do is give him a County Waste toter, which he doesn't want.

Also, all public cans on Washington Ave should get collected as well each week, and that's not being completed. This year, we want to add a garbage and recycling dumpster for Callahan Park. F. Kulick asked if we can hold them to the contract? W. Aquilino stated yes, and we can also meet with the winning bidder and discuss our past heartburn issues here.

Church Lunch Program: F. Kulick asked J. Wilson if there was any news on the lunch program? J. Wilson stated no, she's not been contacted back this year.

Summer Youth Program: F. Kulick stated we're not having a summer youth program this year due to the replacement of the gym floor.

Recycling: F. Kulick stated recycling should not be an alternate bid for the garbage contract, everything should be included in one. D. Markey stated that's how the specs will be written. D. Markey stated he received an email from the county regarding Recycle Coach, which is a service to help residents learn more about recycling, which the county paid for all municipalities to have access to. When contacting Recycle Coach, the price was \$2800, not free. Kaitlyn English from Lackawanna County stated she will speak w/Barbara Giovagnoli about it.

Business Permit Application Final Review: F. Kulick stated everything looks good, and send it out.

R&L Land Sale: W. Aquilino stated a proposed land sale agreement was sent to the borough. There were some internal conflicts which he is working out, specifically regarding sale price, cost of title searches, etc.

Garbage Fee Exoneration: F. Kulick stated the form needs to be reworked & clarified. He stated no one is filling out the form correctly. He said each form should be per quarter. D. Markey stated the exoneration is quarterly based. J. Schreiner stated it can be done per quarter, but you should be able to file per year with one form. F. Kulick stated that the form states the applicant must make application for the exoneration within one year of the quarter for which the applicant seeks exoneration, so the applicant will get this year's back, but not the one that was delinquent.

New Business: None.

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 9:14 pm.

Respectfully submitted,



Daniel Markey

Borough Manager