

FORTY FORT, PA

January 16, 2012

Special Meeting of Council

The special meeting meeting of the Forty Fort Borough Council was held on Monday, January 16, 2012 at the Forty Fort Borough Building, 1271 Wyoming Ave., Forty Fort, PA., with President Joe Chacke presiding. The meeting was called to order at 7:25P.M.

Council members present were as follows: Dorothy Craig, Robert Craig, Charles Rick Kamus, Frank Michaels, Karen Martinelli & President Chacke.

Also present were Mayor Boyd Hoats, Jr. & Denise Syms, Borough Secretary.

APPROVAL OF MINUTES

Motion to approve the minutes of the Regular Meeting of Council held on December 5, 2011 was made by Mr. Michaels. Second by Mrs. Craig.

On a Roll Call Vote:

Yes: Mrs. Craig, Mr. Craig, Mr. Kamus, Mr. Michaels, Ms. Martinelli, President Chacke

No: None

Motion passed without dissent.

Motion to approve the minutes of the Special Meeting of Council held on December 19, 2011 was made by Mrs. Craig. Second by Mr. Michaels.

Motion passed without dissent.

Motion to approve the minutes of the Work Session held on December 19, 2011 was made by Mr. Kamus. Second by Mrs. Craig.

Motion passed without dissent.

COMMUNICATIONS:

The Secretary received an email from Christopher Borton issuing his resignation from the Planning Commission.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS ONLY:

Joe DeHaut, 398 River Street, discussed with Council his pending application from October with the Shade Tree Commission to remove a tree from the tree lawn. He submitted a condition appeal to Council pending the decision of the Commission.

TREASURER'S REPORT:

Motion to adopt the Treasurer's report of December 20, 2011 as present was made by Mr. Michaels. Second by Mrs. Craig.

Motion passed without dissent.

ENGINEER'S REPORT:

No report.

GENERAL BUSINESS:

Motion in toto to accept the reports of the Mayor/Police Department, Forty Fort Volunteer Fire Chief, Kingston Fire Chief, Code Enforcement Officer, WVSA Representative and Tax Collector was made by Mr. Craig. Second by Mr. Michaels.

Motion passed without dissent.

Motion to adopt a resolution authorizing the issuance of a tax and revenue anticipation note, series 2012 with the terms set forth in the foregoing and attached certificate and transmittal; approving a form of note; authorizing designated officers to execute and deliver the note; authorizing and directing the filing of proceedings with the Department of Community and Economic Development; providing for the payment and security of the note; making certain federal income tax covenants in respect of the note; accepting the proposal of Landmark Community Bank for the purchase of the note; and repealing inconsistent resolutions was made by Mr. Craig. Second by Mr. Michaels.

On the question: President Chacke stated that in December Council awarded the TAN to Landmark Bank and this resolution is a procedural requirement.

Motion passed without dissent.

Motion to adopt an Ordinance of the Borough of Forty Fort titled "Intermunicipal Cooperation Agreement between the Borough of Wyoming and the Borough of Forty Fort" was made by Mr. Kamus. Second by Mr. Michaels.

On the question: Mr. Craig asked if there is an opt out clause. President Chacke stated that there was and 60 days written notice by either party was required to opt out.

Motion passed without dissent.

Motion to appoint Dave Williams to the Zoning Hearing Board was made by Mrs. Craig. Second by Ms. Martinelli.

Motion passed without dissent.

Motion to accept the resignation of Christopher Borton from the Planning Commission.

On the question: President Chacke stated that with Mr. Borton's resignation that leaves the Planning Commission with only two members (Frank Catina and Phil Mertz). President Chacke stated Council is grateful for Mr. Borton's years of service to the Borough and will send a letter to Mr. Borton stating as such and thanking him.

Motion passed without dissent.

Motion to appoint Joe Chacke to the Planning Commission was made by Mr. Michaels. Second by Mr. Kamus.

On the question: Ms. Martinelli questioned the legality of a Council person serving on the Planning Commission. President Chacke stated that the Borough Code does not prohibit it and the Municipal Planning Code (MPC) allows it. President Chacke stated that he had asked Council last July to seek out individuals to serve on several boards. It has also been posted continuously on the Borough's website for approximately two years and has appeared multiple times in the newspaper to no avail.

Discussion ensued at length about how to fill vacancies and the merits of appointing a member of Council. Ms. Martinelli and Mr. Craig requested the solicitor to verify the legality of a member of Council serving on the Planning Commission. Ms. Martinelli requested a roll call vote.

On a roll call vote:

Yes: Mr. Kamus, Mr. Michaels, President Chacke

No: Mrs. Craig, Mr. Craig, Ms. Martinelli.

Motion is tied 3-3. The Mayor was asked to break the tie vote. Mayor Hoats voted yes.

Motion passed on a 4-3 vote.

Motion to purchase a 1997 Ford Expedition Police Vehicle from Wilson Borough for \$1 and to authorize Chief Fred Lahovski, Jr to sign all applicable documents on behalf of the Borough for the purchase and transfer was made by Ms. Martinelli. Second by Mr. Kamus.

Motion passed without dissent.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Jeff McLaughlin, 25 Yates Street, volunteered to serve on the Planning Commission.

Mr. Craig made a motion to appoint Mr. McLaughlin to the Planning Commission. Second by Ms. Martinelli.

Motion passed without dissent.

EXECUTIVE SESSION:

Council adjourned to Executive Session to discuss matters of personnel and legal issues and reconvened at 9:02p.m.

MOTIONS RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION:

Mr. Craig made a motion to advertise an amendment to the Borough Manager ordinance. Second by Mr. Michaels.

On the question: President Chacke stated it would be advertised for the regular February meeting.

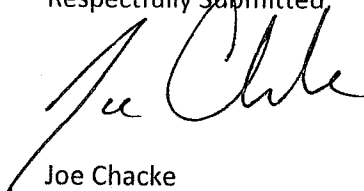
Motion passed without dissent.

ADJOURNMENT:

Motion by Mr. Craig to adjourn. Second by Ms. Martinelli.

Motion passed without dissent.

Respectfully Submitted



Joe Chacke  
President of Council