

## FORTY FORT BOROUGH COUNCIL

Municipal Building, 1271 Wyoming Avenue, Forty Fort, PA 18704

Meeting Minutes of Monday, April 4, 2016

7:00 PM

**CALL TO ORDER:** President Jeff McLaughlin brought the Call to Order for the Regular Council Meeting of April 4, 2016, held at the Forty Fort Borough Building beginning at 7:00 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE:** Reverend Lukish offered prayer to look to God for help, for wisdom and direction of us all. The Pledge of Allegiance to the flag of our Country ensued.

The opening of this night's meeting continued with Roll Call as the follows: Present – Dominic Butchko, Deborah Troy, Tom Murray, Rick Kamus, Frank Michaels, President Jeffrey McLaughlin and Mayor Andy Tuzinski. Absent was Dorothy Craig. Borough Manager Bonnie Arnone and Borough Secretary/Treasurer Marla Anthony were also present. Representing Quad3 was Mark Voyack and present was The Times Leader reporter, Marcella. Attorney Jack Haley arrived after Roll Call. A total of four (4) visitors were also present.

President Jeff McLaughlin introduced Mayor Tuzinski for the swearing in of Charles Bell to Office of Planning Commissioner.

### **CONSENT AGENDA FOR ADMINISTRATIVE ISSUES:**

The Borough Council approved the following:

1. Minutes of the Regular meeting held Monday, March 7, 2016;
2. Minutes of the special meeting held on Monday, March 21, 2016;
3. Minutes of the work session held on Monday, March 21, 2016;
4. Treasurer's Report;
5. Payment of Bills;
6. Reports of the Mayor/Police Department, Forty Fort Fire Chief, Forty Fort Call List, Kingston Fire Chief, Code Enforcement Officer, WVSA Minutes, Shade Tree Commission Minutes and the Borough Manager Time Sheets

As so moved by Deborah Troy and seconded by Rick Kamus. There were no questions. Mr. Kamus abstained from the second meeting minutes, as he was not in attendance. Mr. Butchko abstained from same. Motion passed.

### **REPORT OF CHIEF OF POLICE AND MAYOR:**

In absence of Chief Daniel Hunsinger, Mayor Tuzinski reported on the Speed Survey which had been conducted on heavily traveled River Street. Of the 263 vehicles screened on the 35 MPH street only three were traveling at an enforceable speed (one of the three was a PA State Trooper responding to a call. The average rate of speed on River Street was 39 MPH. With the weather clearing up, Chief Hunsinger has the Officers stepping up the enforcement of speed regulations and crosswalks – noting the crosswalk at River and Fort Streets.

With regard to the many complaints regarding people walking their dogs and not cleaning up after them or not having them on a leash, the Officers will step up enforcement of the Borough Ordinance. It is a problem that people do not respect the residents of Forty Fort and their properties.

Mr. Tuzinski continued as noting there will be a Walk-A-Thon for the Little League on April 23, 2016. Everyone is invited to participate. A parade will open the event at 10:00 a.m. An email will be sent to include all the details.

The Cemetery Association, namely President Matt Schooley, has been working to obtain quotes to rid the Cemetery of damaged trees and clean up the debris. There will be a community work day at the Cemetery on April 23<sup>rd</sup>. Anyone interested in helping with this project will be greatly appreciated. Mr. Tuzinski pointed out that Council Member Deborah Troy has been working to enlist volunteers. Last year she obtained 70.

Mayor Tuzinski concluded his report to Council with announcing that The Shade Tree Commission will be planting trees on the weekend of April 16<sup>th</sup> and 17<sup>th</sup>. Anyone interested in giving them a helping hand is welcomed and can contact Mayor Tuzinski to get them involved with the planning of the planting schedule.

#### **REPORT OF THE BOROUGH MANAGER:**

Borough Manager, Bonnie Arnone mentioned that this morning she received a letter placed in the mailboxes at the Borough Building from some members of the Fire Department. It read as asking for a meeting; so, if you haven't checked your mailboxes, please do. It isn't clear if they want to meet with individuals or if they want to have a group meeting.

Last year, Lillian Lavender Poule had spoken with the Borough Manager about the prospect of having a Farmer's Market. Council had waived the Merchant Fee for all of the vendors involved. The event did not happen last year. It is going to happen this year. Bonnie presented the scenario to Council to request a ruling on the waiver of the vendors' fee for this year. It is coming Sunday, April 10<sup>th</sup> from 11:00 a.m. thru 3:00 p.m.

The Borough Manager has been approached numerous times by different companies for the Codification of the Borough of Forty Fort. The online Codification was done by Keystone, which is now out of business. Our codes were placed on the Keystone website. We have the old discs from Keystone with the codes; however, the codes were last updated online in 2010. It is quite expensive if we go with another company. The Borough will need to update the codes to present to the public online – possibly to our own website.

Mr. Michaels pointed out to Council that if the fee is waived for the Farmer's Market, the produce stands at the corner of Shoemaker and The Avenue and at the corner of The Avenue and Owen Street. Bonnie will double-check with Alan Brezinski to see if he has already spoken to the owner of the stand in front of the flower shop. The question was posed if this waiver would be a one-time transient merchant fee this year? Bonnie will have to check the minutes to see if it was a one-time event. However, if the market is a great success, then it would be a one-time waive of the vendor fee.

Mr. Kamus moved to waive the vendor fee one (1) time for the Lavender Poule Farmer's Market. Motion was seconded by Ms. Troy. On the question, Mr. Kamus stated that it must be made clear to her that this would be only a one-time waiver of the fee. Also, if there is food being served, it must be inspected. Mr. Tuzinski stated that he would do the inspection. The hot dog vendor at the soccer fields is going to get his permit through the Soccer Association, since the Soccer Association is a tenant of that property. Motion passed.

#### **REPORT OF BOROUGH ENGINEER:**

Mr. Voyack reported on the Sanitary Sewer Rehabilitation Project. The Substantial Completion Certificate has been executed. Mr. Rehab, Inc. has emailed a Payment Application of \$78,824.60 against the 5%

retainage – leaving \$10,000 in the contract to be paid for outstanding items. Quad3 is recommending the \$78,824.60 be paid and will forward with the original pay applications when received, along with the USDA Pay Requisition.

Mr. Voyack also reported on the Paving Project. The preconstruction meeting was held with American Asphalt. Construction is scheduled to begin with saw cutting for the ADA ramps.

Council President, Jeff McLaughlin presented the issue of some of the other streets that are in need of paving, such as Wesley Street. Ms. Arnone spoke with Andy Riley and Rich Kresge to set a meeting to discuss the possibility of including Wesley, Bedford and Yates Streets. There is bureaucracy involved; therefore, it will take some time to determine this answer. Mayor Tuzinski stated based on the data he and President McLaughlin collected, Wesley Street would qualify.

Mr. Kamus stated that the intersection of Walnut and Center and the intersection where Ransom Street meets with the State Highway should be paved by TSE. These were issues left behind. American Asphalt should have been paid by the American Water Company. Mr. Kamus asked Mr. Voyack if he could please look into that issue for the Borough, as we should not be charged for that paving. Mr. Voyack answered affirmatively. Mayor Tuzinski pointed out that TSE never replaced the trees that were destroyed or clean up that area down by The Cross Valley. Bob Barnard has a 'punch list' which TSE needed to address. There is a curb on Fort Street at the bus stop which is horrible. Ms. Arnone remembers how unhappy people were when TSE left things undone.

#### **RESIDENTS AND TAXPAYERS COMMENTS AND PETITIONS:**

Mr. Rob Swaback, 15 Susquehanna Avenue, is trying to do a cleanup of Forty Fort on April 16<sup>th</sup>, from 9:00 a.m. thru Noon. The main focus is going to be from the corner of River Street and Rutter Avenue down to the Borough Building to clean up the sumac and branches to enhance the appearance of the entrance to Forty Fort. If time allows, cleanup will continue at the Monument at River Street and on the curbs. The volunteers will meet at the Miracle Complex. Please bring your own gloves. Tools will be provided. Mr. Swaback asked if our Street Department could pick up the branches and debris if they are placed to the side of the road. Mr. Kamus stated that if the debris is put off to the side where the cleanup takes place, the Borough will make sure it is picked up. Ms. Arnone will need to be notified.

Regarding Civil Service: Mr. Swaback offered an answer to questions related to mentioning both the Fire Department and Police. After reading the Borough Code, Mr. Swaback stated it is verbatim from the Code that both are mentioned. There is going to be a meeting Thursday, April 7<sup>th</sup>. There is now a need for two (2) alternates to the Civil Service Committee. Mr. May was appointed to the Luzerne County Election Committee and Mr. Curry was appointed to the Board of Trustees of Luzerne County Council. Solicitor Haley confirmed that this interpretation of the Code is correct – an alternate cannot serve The Civil Service Committee if appointed to another official State Committee.

Mr. Swaback stated that he will need a letter from the President of Council, Jeff McLaughlin to give notice of the issue within the Fire Department for the Civil Service Commission to give public notice. Mr. McLaughlin stated that he would like to sit down with the two people regarding the letter – perhaps this weekend. Mr. Swaback requested that he please be kept posted on the developments.

#### **GENERAL BUSINESS:**

Motion was made by Mr. Kamus to appoint Charles Bell to the Planning Commission. Motion was seconded by Mr. Murray. There were no questions. Motion passed without dissent.

Motion was made by Mr. Kamus and seconded by Mr. Michaels to approve the one-time increase to the uniform allowance for Chief of Police, Daniel Hunsinger. All were in favor and motion passed without dissent.

A discussion regarding the Sordoni Minor Subdivision to clarify the request was presented by President McLaughlin. Sordoni and The Apple Tree worked out an agreement that a portion of Sordoni's land was allowed to be used as a parking lot for The Apple Tree. Sordoni has decided to give them that portion of land. This request was reviewed by the Forty Fort Planning Commission and Carl Schimmel. The plan was approved. President McLaughlin then asked if there is a Motion to approve Sordoni's request for the special exception of the plan to give the subdivision to The Apple Tree. So moved by Mr. Michaels and seconded by Mr. Kamus. Questions following motion: Ms. Troy asked if there will be any construction with this minor subdivision. President McLaughlin stated that there will not be any construction involved. Sordoni just wants to give the portion of land to The Apple Tree, which has been using this parking lot for a number of years. Another question involved the use of the term "special exception". Solicitor Haley clarified that under zoning laws, the term "special exception" has a different meaning. In this instance, Mr. Haley advised the phrase "waiver of subdivision requirement" should be used. The Borough Manager will so note to "approve the minor subdivision". All were in favor; none opposed. Motion passed.

#### **NEW BUSINESS AND OPEN DISCUSSION:**

2016 Pool: Mr. Murray and Mr. Michaels recently met with Borough Manager Ms. Arnone to discuss the future of the Forty Fort Pool and its maintenance. Ms. Arnone reported that the family resident membership Rate is being lowered from \$150 to \$125; the individual resident rate is being lowered from \$120 to \$80. The goal is to increase memberships. The non-resident family \$185 and non-resident individual \$135 remains the same. There will not be an additional \$5 charge to the membership rate up to five (5) people per family for each badge/pass, as in prior years.

Last year the daily pass rate was \$6 for a pass for the whole day or \$4 after 5PM. Children under 2 years of age were free. In the past, we allowed non-residents of Forty Fort the same rates as residents. This year, Mr. Tuzinski suggested that, no matter where people reside, the daily pass rate be \$8 for the whole day - \$5 after 5PM; a family pass day-rate be \$25 for up to 5 people - \$15 after 5PM for same. This plan should help increase the number of memberships and eliminates spending the time to check where people reside.

All memberships and passes will be purchased either at the Forty Fort Municipal Building or within their own home via the internet with the use of a credit card. A receipt/confirmation must be printed by the person using the internet to present at the Borough Building to receive the pass. The passes will be taken from the Borough Building each day and disbursed by pool personnel to the purchaser.

Regarding pool parties: All parties at the pool will be booked at the Borough Building. Private parties are the night time parties and have increased in price. The daytime party charge will remain the same; however, we eliminated the free food option. Our food stand kept running out of food and the costs to keep ordering more per party became a burden. People will now need to provide their own food for the party.

The yearly problem with the pool is the surface condition prior to opening for the season. The last time the pool was sandblasted was in the mid-80's. Since that time, it has had a fresh new coat of paint each year. Many layers of the rubber-based paint have accumulated on the surface of the pool. A sandblaster has been rented, costing the Borough \$1,000 for the week of April 11. An investigation of a company (ultraguardcorecoat.com) that supplies a proponent of an epoxy-based paint continues. President

McLaughlin stated it is necessary to pursue the cost for the paint covering approximately 55,000 square feet of pool (a good guess would be around \$20,000) and to follow up with some of the testimonies offered online with the company product (Shippensburg is one testimonial) to see if it lasted. The company guarantees their work for 10 years. Presented to the Council is the question: does the Borough do it right this year by getting more than one year out of the refurbishing of the pool surface; or, look further into this option for 2017? If the pool surface is sandblasted, will chunks of the pool surface become dislodged and need further patchwork?

Mayor Tuzinski stated that epoxy-paint becomes damaged by UV rays – it fades very quickly. Chlorinated rubber-based paint does not. The process to coat the pool properly would be to sandblast the old layers of paint off, coat the surface with muriatic acid, neutralize the surface, rinse and then paint. The process would result in the money to recondition the pool surface as being better spent. Ms. Arnone proposed the question: Does the Borough take out a loan to cover the process?

Mr. Michaels suggested that the testimonials offered via the epoxy-based paint company (2 or 3) be contacted to learn the results of its durability over how many years. Mr. Michaels would like to see the residents of Forty Fort have another reason to be proud of Council's efforts to upgrade the amenities the Borough offers. Mr. Michaels stated he is for the loan to upgrade the pool and then publicize the upgrade so that people know.

Last year there were only 37 memberships. Ms. Arnone expressed the need to increase the memberships. The credit card machine will greatly ease the process of purchasing memberships. The credit card machine has opened up the possibility for payment of parking tickets, parking permits, code/zoning permits, etc.

Lifeguard applications received are three (3). Four (4) lifeguards must be present at all times and rotate the stations periodically throughout their shift. A total of nine (9) lifeguards are needed to operate the pool. Bonnie will confirm with Clare, the head lifeguard last year. Ms. Arnone stated that Mr. Murray knows a friend that can put the word out on a coaches' board about the need for lifeguards at the Forty Fort Pool. The lowest age to work is 16; however, if someone applies at the age of 14, the work hours are restricted. The Head Lifeguard receives \$8 per hour; lifeguards receive \$8 per hour. Mr. Tuzinski will post the lifeguard position on the web site.

Fire Department Civil Service Rules Draft: Mr. Haley asked if this is the same draft as he received last month? There were some changes that needed to be made. Mr. McLaughlin stated the meeting is set for 5:00 p.m. Mr. Haley was given a copy of the latest draft. Mayor Tuzinski and Mr. Michaels will be meeting with the Fire Department.

President McLaughlin asked if anyone had any suggestions for alternates for the Civil Service Committee. Mayor Tuzinski will put the word out and Ms. Arnone will ask Chief Hunsinger to put the ad on the Forty Fort web site.

Mayor Tuzinski reported on the request of a teacher at Wyoming Seminary on the status of Seminary Place to see what Council's thoughts were on the approaching on behalf of the Borough the Board of Trustees at Wyoming Seminary of perhaps underwriting the cost of paving Seminary Place because of the bus traffic and extensive use of Wyoming Seminary. Mayor Tuzinski would like to increase the dollar request. Mayor Tuzinski will begin reaching out to some Board members.

Mr. Kamus read a draft of the newspaper ad to replace Bob Barnard when he retires. Mr. Michaels made the suggestion to include that the position be advertised as full-time with prior supervisory experience preferred. President McLaughlin agreed that the candidate must be a strong leader. Solicitor Haley included the Equal Opportunity clause be added. The ad will run for ten days – 5 days staggered between both papers. The deadline for applications will be set for May 6<sup>th</sup>. Council Member Mr. Butchko, along with the Department of Public Works Committee, will be interviewing the candidates the week of May 7. The finalist's credentials will be presented to Council during the Work Session of May 16<sup>th</sup> for hiring in June.

**EXECUTIVE WORK SESSION:**

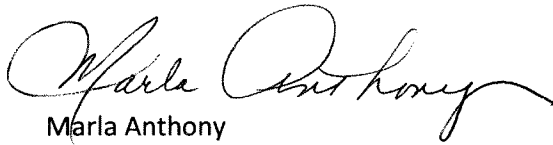
(Informational) The Executive Session ended at 9:34 PM.

**MOTION TO ADJOURN:**

The regular meeting for Council resumed at 9:35 PM. Motion to adjourn was made by Dominick Butchko and seconded by Tom Murray.

The next Council meeting will be a work session to be held on Monday, April 18, 2016 at 7:00 PM.

Respectfully submitted,



Marla Anthony  
Borough Secretary/Treasurer