

FORTY FORT, PA

April 6, 2009

Regular Meeting of Council

The regular meeting of Forty Fort Borough Council was held on Monday, April 6, 2009 at the Forty Fort Borough Building, 1271 Wyoming Avenue, Forty Fort, with President Joseph Chacke presiding.

Council Members present were as follows: Deanna Brown, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams, Richard Yingst and President Joseph Chacke. James McCabe was absent.

Also present were Mayor Boyd Hoats Jr., Solicitor Samuel A. Falcone, and Borough Secretary/Coordinator Denise Syms. There were seventeen (17) visitors and one member of the media.

President Chacke called the meeting to order at 7:30 p.m.

Invocation was then given by Reverend William Lukesh of the Forty Fort United Presbyterian Church followed by the *Pledge of Allegiance to the American Flag* led by Mayor Boyd Hoats Jr.

APPROVAL OF MINUTES:

Motion by Mrs. Brown to approve the minutes of the regular meeting of Council held on March 2, 2009 as presented. Second by Mr. Williams.

On the question, Mr. Craig asked about the bid opening and that Council was not present. Mrs. Syms stated that she included the bid opening in the packet for informational purposes and to notify council that the bid opening was held and that bids were received.

On a roll call vote members voted as follows:

Yes: Deanna Brown, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams, Richard Yingst and President Joseph Chacke = 8

No = 0

Abstentions = 0

Motion passed without dissent.

Motion by Mr. Yingst to approve the minutes of the worksession of Council held on March 16, 2009 as presented. Second by Mr. Michaels.

Motion passed without dissent.

COMMUNICATIONS:

Mrs. Syms read the following communication:

A request from Camp Little Friendship requesting use of the Forty Fort pool on August 10-13 from 11 am to noon and the use of the park from 10:30-11:30, Monday through Wednesday.

Motion by Mrs. Brown to allow Camp Little Friendship use of the park and the pool August 10th through the 13th from 11 am to 12. Second by Mrs. Mascelli.

Motion passed without dissent.

RESIDENTS AND TAXPAYERS COMMENTS PETITIONS:

Ed Mead thanked the tree commission and council for cutting the tree that was leaning towards his house.

Dave Williams, 1206 Murray Street, requested that council overturn the Shade Tree Commission denial to have a black locust tree on his tree lawn to be removed. It is heaving his sidewalk again and is a nuisance tree and safety hazard. Last year he paid to have his sidewalks repaired because the tree heaved them. It is now heaving the curb out towards the street. Mr. Williams is willing to post the \$200 in accordance with the ordinance and is not requesting the Borough to bear any of the expense.

Motion by Mr. Michaels to allow Mr. Williams, 1206 Murray Street to remove the tree in question at his own expense understanding that he will post the \$200 deposit to remove the tree and to plant a new tree within a year. Second by Mrs. Mascelli.

Motion passed with Mr. Yingst voting no and Mr. Williams abstaining since his son is making the request).

Adam Michaels, part-time police officer for the borough, addressed Council about the need for tasers and since the recent events in the borough he is pushing harder to get tasers for the police department. He has price quotes from last year and is requesting the purchase of one taser. He would like to get business and resident donations.

Solicitor Falcone will draft a policy at Councils pleasure if Council is willing to purchase a taser. Mr. Craig asked to have the policy added to the May agenda.

Mrs. Carol Seltzer would like to donate \$300 toward the police taser. Mrs. Seltzer addressed Council about the tree on Oak Street that was hit by a car. Mrs. Syms will contact the insurance company.

John Ostrowski, 73 River Street, addressed Council regarding the water company pave cut that keeps sinking. Tom Craig explained that it is a state road and he has no authority over it. President Chacke will check with Penn DOT.

Mrs. Carol Seltzer asked why the house flooded on River Street. Chief Shedlarski explained that it was a water main.

Joe Ryan requested help for removal of his tree removal.

Motion by Mr. Kamus to reimburse \$250 for the tree removal. Second by Mr. Yingst.

Motion passed without dissent.

Joe Crisman, Forty Fort Lube, stated that he would make a donation to help pay for the taser.

TREASURER'S REPORT:

Motion by Mr. Williams to approve the Treasurer's Report of March 20, 2009 as presented. Second by Mrs. Brown.

Motion passed without dissent.

REPORT OF THE MAYOR:

Mayor Boyd Hoats Jr. read the report of the police department for the month of March 2009. The Police Department received a donation from the Cross Valley Credit Union.

Motion by Mr. Craig to place the letter in Officer Stone's file. Second by Mrs. Brown.

Motion passed without dissent.

FIRE CHIEF:

Chief Shedlarski reported that for March. There were 33 calls and 105 man-hours.

ENGINEER:

Mr. Dave Yefko, Borton-Lawson Engineering, and Mrs. Denise Syms opened the bids received for the Commerce Park street paving project.

The following bids were received:

Contractor	Total of Base Bid	Alt. No. 1	Add Alt. No. 1
Stell Enterprises, Inc.	\$140,701.50	\$29,811.00	\$12.00
Slusser Brothers	\$120,197.00	\$17,886.60	\$9.50
Pikes Creek Site Contractors	\$129,783.90	\$20,397.00	\$10.00
American Asphalt Paving Co.	\$127,602.20	\$23,691.90	\$9.55
Pople Construction, Inc.	\$111,354.10	\$33,262.80	\$40.00

The contract will be awarded at the continuation of the April meeting to be held on April 20, 2009 at 7:25 p.m.

Mr. Yefko updated Council on the Welles Street project.

Mr. James Bell recommended awarding the project to the low bidder which was Berger Construction for the meeting house project.

Motion by Mr. Craig to award the Forty Fort Meeting House contract to Berger Construction contingent upon them not exceeding the amount received for the gaming grant. Second by Mr. Yingst.

Motion passed without dissent.

CODE ENFORCEMENT OFFICER:

Steve Nowroski read the code enforcement report for March 2009. Total income was \$7,075.

Mr. Williams attended the meeting for the West Side Landfill Authority but due to a lack of participation the meeting was cancelled. The meetings are held on the third Thursday of the month.

SHADE TREE COMMISSION:

Mrs. Carol Seltzer gave the report of the Shade Tree Commission.

GENERAL BUSINESS:

Motion by Mrs. Mascelli to appoint Lauren Brown as Junior Council Person for the remainder of the term. Second by Mr. Yingst.

Motion passed without dissent.

Mayor Hoats administered the oath of office to Lauren Brown as Junior Council Person. Council congratulated Ms. Brown and she took her place with Council at the table.

Motion by Mrs. Mascelli to ratify the decision of the Chair of the DPW and the President of Council to hire Albert Adamchik as a part-time DPW worker. Second by Mr. Williams.

On the question, Mayor Hoats asked Mrs. Mascelli if it is one of her men. Mrs. Mascelli responded in the affirmative. President Chacke explained that one of the part-timers received a full-time job somewhere else and we advertised the open position. After doing interviews, he was hired, passed the drug test and physical and he started working today.

Motion passed without dissent.

Motion by Mr. Kamus to adopt an ordinance making a portion of the easterly side of Wyoming Avenue no parking. Second by Mr. Yingst.

On the question, Mr. Craig asked if there was any opposition to the ordinance. Mr. Nowroski received one email opposing the change. He spoke to her and she said that she would show up for the meeting.

Mr. Williams asked if Penn DOT would approve the property without this ordinance. President Chacke stated that we received a letter last month and that they need this ordinance passed in order to receive the HOP.

Motion passed without dissent.

Motion by Mr. Yingst to donate \$100 to the Black Diamond American Legion for the Memorial Day Parade. Second by Mr. Williams.

On the question, Mr. Michaels asked what the donation is for and what expenditures they have. Mrs. Brown stated that the donation is for the parade and she would be willing to speak to the organizers of the parade. All of Council is allowed to walk in the parade if they desire.

Motion passed with Mr. Michaels voting in the negative.

Motion by Mr. Craig to re-appoint Frank Catina to the Planning Commission for a 5 year term expiring July 2013. Second by Mr. Yingst.

President Chacke explained that Mr. Catina's term has expired.

Motion passed without dissent.

Motion by Mr. Yingst to authorize the Solicitor to prepare a petition to reduce the size of council from nine to seven. Second by Mr. Kamus.

On the question, Solicitor Falcone explained the issue and the reasoning behind the change. At this election we would reduce it by one and at the next election reduce it by one again. We have five openings and four running.

Mr. Craig asked why. Solicitor Falcone explained that the change should have taken place when we went from voting by ward to voting at large. The court as of now has not required them to reduce the number of council. Discussion ensued.

On a roll call vote members voted as follows:

Yes: Deanna Brown, Charles Kamus, Betty Mascelli, Frank Michaels, Richard Yingst and President Joseph Chacke = 6

No: Robert Craig and Dave Williams = 2

Abstentions = 0

Motion passed.

PAYMENT OF BILLS:

Moved by Mr. Michaels to pay the bills as presented. Second by Mrs. Brown.

On the question, Mr. Yingst questioned the bill for the flooring. Mrs. Syms called two places and both prices were approximately the same. The flooring that we went with is a better quality floor than the other store quoted because it was a discontinued run. It is a high grade commercial flooring that is the type that they put in grocery stores and other very high traffic areas. It is also a non-waxable floor so it is only a soap and water cleanup, which reduces maintenance. They also repaired the floor since there was a problem with the two areas where the concrete and wood floor comes together. There was a major crack in that area and they resolved that issue by filling the crack and leveled it out so that there would not be a difference in the level between the floors. They did a lot of work and labor hours involved, especially when the old floor was glued directly to the concrete and needed to be scraped up. The old tiles were brittle and crumbled apart at the crack and behind the desk causing a major tripping hazard. Another difference with the new tiles is that they are not squares; they are long strips and increase the durability in the high traffic area.

On the question, Mrs. Syms stated that the total for the Recycling fund bills is incorrect and also explained that the Recycling Fund is short on funds until the recycling fees start coming in. Mrs. Syms asked that \$5,000 be transferred from the General Fund to the Recycling Fund and repaid when the fees are received.

On the question, Mr. Yingst stated that he noticed that the calendars are increasing gotten more expensive and when we started out at \$2,000 and now we are at \$4,000. Mr. Yingst asked if we can go back to the single page calendar. Mrs. Syms stated that we can and we started out with the more expensive calendar because we received a grant for the calendar along with other items. Since then, when Mrs. Syms writes a recycling grant she uses the calendar as a cash match for the grant. Printing costs have increased and we have

gone to a full-color calendar to show off the school student's artwork and to put more information in the calendar. Mr. Yingst would like to look at it and ask the residents what they think. Discussion ensued.

Mr. Michaels amended his motion to include a correction to the recycling bills and the transfer of \$5,000 from the General Fund to the Recycling Fund. Mrs. Brown concurred with the change.

Motion passed without dissent.

ADJOURNMENT:

President Chacke recessed the meeting and scheduled the continuation for 7:25 p.m. on Monday, April 20, 2009 for the awarding of the Commerce Park bids and general business.

The meeting recessed at 8:50 p.m.

Respectfully submitted,

Denise Syms
Borough Secretary/Coordinator