

FORTY FORT BOROUGH
COUNCIL MEETING MINUTES

APRIL 6, 2015

The April meeting of the Forty Fort Borough Council was held on Monday, April 6, 2015 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., with President Jeff McLaughlin presiding.

President McLaughlin called the meeting to order at 7:30 PM with the following council members present: Deborah Troy, Dorothy Craig, Joseph Lynch, Charles Rick Kamus & Frank Michaels. Karen Martinelli was absent.

Also present were Mayor Andy Tuzinski, Atty. Jack Haley, Chief Dan Hunsinger, Mark Voyack from Quad 3 Group, Manager Barbara Fairchild & Secretary Bonnie Arnone.

The First item of business was a presentation from the 6th, 7th & 8th grade classes from Wyoming Valley West School District's Middle School, led by teacher Mr. Chris Uter. Six students, two from each grade, had previously done a field trip with Ms. Fairchild and engineers from Quad 3 Group to visit the borough's nine storm water outfall areas. Their presentation this evening was a slide show where each student explained the reasons for these outfalls and what people can do to help keep the rivers clean and save our drinking water sources.

CONSENT AGENDA FOR ADMINISTRATIVE ISSUES:

Motion by Mr. Kamus to pass the Consent Agenda for Administrative Issues. Second by Mr. Michaels. These items include the following:

- Motion to approve the minutes of the regular meeting held on March 2, 2015
- Motion to approve the minutes of the work session held on March 16, 2015
- Motion to accept the Treasurer's Report
- Payment of Bills
- Motion in accept the reports of the Mayor/Police Dept., Kingston Fire Chief, Code Enforcement Officer, WVSA minutes, Shade Tree Commission & Safety Committee Meeting.
- Communications including Luzerne Co. Flood Protection Authority; Luzerne Conservation District Meeting Dirt & Gravel Roads/low volume paved roads meeting on 4/30/15

On the question: It was noted that there was an error in the amount of bill for Vac Way on the bills report. The amount should have read \$414.90 not \$4,414.90. Mayor Tuzinsk also questioned the PAWC bill for Fire Hydrants & asked that the water co. be contacted to inquire about a refund or reduction in costs for a fire hydrant unavailable for use across from 142 Fort St. All council was in favor of this motion. Motion passed.

REPORT OF CHIEF OF POLICE AND MAYOR:

Mayor Tuzinski reported that council has been invited to participate in the Kingston / Forty Fort Baseball & Softball opening day parade on 4/18/15 at 10:30 AM. He stated that there is also a Forty Fort Cemetery clean up day on April 18, 2015.

There will be a Movie in the Park sponsored by Families For Forty Fort Park on Friday, May 22, 2015 and Friday, June 19, 2015. The Easter Egg Hunt was a huge success with over 400 people in attendance. They are also planning a Mother's Day event for May 2, 2015 from 12:00 to 2:00 PM. Mr. Michaels suggested that a letter of thanks be sent to Amy Craig, who recently resigned as President of Families for Forty Fort Park, for being the creator of this group and all her work & dedication to the group.

Chief Hunsinger told council that the borough will now be using Car Facts for accident report retrieval for motorist who has motor vehicle accidents in the borough. The Borough will still receive the \$15.00 per report and the requester will pay a separate fee to Car Facts. The service will also provide addition benefits such as VIN alerts for wanted vehicles, etc.

A discussion ensued regarding the discovery of a resident who changed her 2014 parking permit sticker to a 2015 permit with a magic marker. Chief Hunsinger stated that while this may constitute forgery charges, he felt that would be too severe since it could carry jail time as the penalty. Some ideas were talked about to help avoid residents to be able to do this type of forgery. Following the discussion the following motion took place:

Motion by Mr. Michaels to amend the current Parking Ordinance to include a penalty of \$50.00 for a first offense of the alteration of any type to Borough Parking Permits. A subsequent offense would carry a fine of \$100.00. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Mr. Michaels also noted that Chief Hunsinger has been with Forty Fort Borough now for two years. He cited the many improvements he has made in that time to the department including the improved morale of the department.

REPORT OF BOROUGH MANAGER:

Ms. Fairchild stated that in addition to the report given to council, she reported that she recently met with Bob Diesel from UGI Gas division about the recent problem that occurred regarding gas lines. She stated that it was determined that there was never any danger to any residents or structures during the time that they were pressurizing the lines. When this is done, all gas is completely shut off preventing any flashes that were of concern of some residents. There was never a need for Code Red Alert.

Mayor Tuzinski asked Ms. Fairchild if she discussed with Mr. Diesel the possibility of replacing gas lines on Susquehanna Ave prior to the borough's re-pavement of the roadway. Ms. Fairchild stated that the information on all street paving areas has been given to the utility companies so that they are aware of this fact and can do any work prior to that.

A change order has been received from Mr. Rehab in the amount of \$3,137.16 for manholes, PVC pipe and other cost increases.

Mr. Kamus requested that the Street Department be instructed to clean all drains, manholes & inlets of debris and set manhole rings.

Ms. Fairchild stated that she had requested WVSA check out the area on West Pettebone St. where the road is caving. They found that the laterals have sunk and this is the homeowner's responsibility. They will check the opposite side of the street in the near future before any determination is made regarding this problem.

Mayor Tuzinski asked about the repairs or replacement of the borough's emergency generator. Ms. Fairchild stated that the issue is still being looked at. He stated that due to the fact that this is an un-met need for Emergency preparedness, the funding for this work can be taken from the DURA Account.

Motion by Mr. Michaels to accept the Borough Manager Report. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

REPORT OF BOROUGH ENGINEER:

Mark Voyack from Quad 3 Group reported that Mr. Rehab was proceeding with the Sanitary Lining project. He also discussed checking a French drain with no outlet on Bedford St. that will be addressed. He spoke about the catch basin at the intersection of Welles & Rutter that is cross connected with the water going into the sewer lines. Previous sewer problems at locations near this area could possibility be affected because of this.

Mr. Voyack related to council that during the work being done by Mr. Rehab on Susquehanna Ave., it was discovered that a sewer pipe repair had been done since the original television of the lines by Mr. Rehab in the beginning of the project. It was later determined that this work had been done by the contractor for PAWC, TSE Contractors. Jim Hoover of PAWC has been contacted about this situation and promises to reimburse for any additional expenses caused by this problem. Mr. Tuzinski requested that Mr. Hoover also be reminded to have TSE do the proper restoration at the corner of River & Rutter Ave.; address the tree they killed on borough property near the Cross Valley exit and remove the debris they have left behind in that same area.

Mr. Kamus asked if an inspector and flaggers will on site all day and if the trenches will be closed at night with plates and pins while the road restoration project is being done. He requested that these stipulations be part of the bid specs for the project.

Motion by Mr. Michaels to accept the Engineer's Report. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

CONSENT AGENDA FOR GENERAL BUSINESS:

Motion by Mr. Michaels to accept the Consent Agenda for General Business. Second by Mr. Lynch. This consent agenda contained the following items:

- Motion to accept the Abuse & Molestation Policy
- Motion to adopt Ordinance #4 of 2015 appointing Andy Tuzinski as Forty Fort Borough's Health Officer
- Motion to adopt Ordinance #5 of 2015 – Stop Sign Ordinance
- Motion to pass Resolution #4 of 2015 – DCNR Feasibility Study
- Motion to pass Resolution #5 of 2015 – DCNR Small Communities Grant

- Motion to pass Resolution #6 of 2015 – Flood Mitigation Grant application – Wall at Pearl St., Abraham’s Creek rip rap repairs, MS4 outfall near levee
- Motion to advertise Handicap Parking Ordinance
- Motion to advertise Hybrid Ordinance for North East Revenue to collect unpaid delinquent real estate, penalties and interest
- Motion to plant a tree and Arbor Day Celebration / declaration by Mayor Tuzinski on April 25, 2015 and proclamation
- Motion to authorize the Borough Manager to enter into the Billing Services agreement with PAFRS

Ms. Fairchild explained to council details for Resolution #6 stating that the tentative amount will be for \$345,000.00 in total with a 15% match from the Borough. This match can include costs expended for up to one year prior to the submission of the grant.

Atty. Haley noted that regarding the Hybrid Ordinance for North East Revenue to collect unpaid delinquent real estate taxes, this allows N.E. Revenue to charge the full 100% for the borough and an additional 5% for them. He also discussed keeping uniformity with Luzerne County’s policy to extend leniencies for senior citizens and those that can prove hardship.

Mr. Michaels questioned if there would be a un-compatibility of office with Mayor Tuzinski being appointed as the Borough’s Health Officer. He was told that this was investigated and there are no problems.

GENERAL BUSINESS:

Motion by Mr. Michaels to accept the Borough Manager’s Agreement and Grant Worksheet for reimbursement. Second by Ms. Troy. On the question: It was noted that the maximum she can received is 2% of the grant; however, if the grant allows, she will submit for the maximum allowable for administrative costs. Atty. Haley stated that under Section 8 of the agreement, the work ordinance should be struck as an ordinance cannot be repealed by a Resolution. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to enter into the Commonwealth of PA PENDOT maintenance services agreement #39000037403 and to pass Resolution #7 of 2015 of the same time. Second by Mr. Kamus. On the question: It was noted that this is a regular yearly maintenance agreement. All council was in favor of this motion. Motion passed.

NEW BUSINESS AND OPEN DISCUSSION:

Mayor Tuzinski presented for council’s passage Resolution #8 of 2015 which alters the yearly salary for the Health Officer from \$600.00 per year to \$0.00 per year. It also states that health inspections will be \$50.00 per inspection.

Motion to pass Resolution #8 of 2015 as noted above by Mr. Kamus. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Mr. Lynch asked if the area between 1294 and 1327 Murray St. can be looked at for possible repairs. He stated that several years ago when the street was paved, this area was not done. Recently,

several accidents have taken place in this area due to the bad condition of the road. The street department will be asked to take a look at this area to see if something can be done.

Mayor Tuzinski asked if Quad 3 Group had been contacted to review the list of streets for paving and the possibility of adding Wesley Street due to its deteriorating condition. Ms. Fairchild stated that Carl Schimmel of Quad 3 Group has been asked to investigate this.

Mr. McLaughlin stated that he, Ms. Fairchild, Atty. Haley and Rob Swaback of the Civil Service Commission had attended a seminar on April 1, 2015 for Civil Service Rules & Regulations. He stated that at that time, Mr. Swaback presented to them a draft of the proposed Civil Service Rules & Regulations to be adopted by the Borough. These will be examined by Atty. Haley and compared to the model sample. Council was provided with a copy of this as well and will review for future discussion.

With there being no further business to discuss, a motion to adjourn was made by Mrs. Craig and seconded by Mr. Kamus at 9:43 PM.

The work session will be held on Monday, April 20, 2015 at 7:30 PM at the Borough Building.

Respectfully submitted,

Bonnie Arnone
Secretary