

FORTY FORT, PA

February 1, 2010

Regular Meeting of Council

The regular meeting of Forty Fort Borough Council was held on Monday, February 1, 2010 at the Forty Fort Borough Building, 1271 Wyoming Avenue, Forty Fort, with Vice-President Betty Mascelli presiding.

Council Members present were as follows: Dorothy Craig, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, and Dave Williams. President Joseph Chacke arrived at 8:47 p.m. Deanna Brown was absent.

Also present were Mayor Boyd Hoats Jr., Junior Councilperson Ted Ritsick, Solicitor Samuel A. Falcone, Jr., Engineer Dave Yefko and Borough Secretary/Coordinator Denise Syms. There were twenty-nine (29) visitors and one member of the media present.

Mrs. Mascelli called the meeting to order at 7:30 p.m.

Invocation was 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 Mr. Craig to approve the minutes of the Reorganization Meeting and the Regular Meeting of Council held on January 4, 2010 as presented. Second by Mr. Williams.

On a roll call vote members voted as follows:

Yes: Dorothy Craig, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams = 6

No: 0

Motion passed without dissent.

Motion by Mr. Williams to approve the minutes of the work session held on January 19, 2010 as presented. Second by Mrs. Craig.

Motion passed with Mr. Craig abstaining.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS:

Tom Hudak, 26 Crisman Street, questioned Council regarding Mr. Judge's appointment to the WVSA.

Carol McLaughlin, read a letter regarding Mr. Judge's appointment to the WVSA.

Ron Jeffery, 102 Fort Street, addressed Council on behalf of Mrs. Purces Michaels regarding her request that Council overturn the decision of the Shade Tree Commission and allow her have the tree located on her tree lawn at 14 Virginia Terrace removed by a certified arborists.

TREASURER'S REPORT:

Motion by Mr. Craig to adopt the Treasurer's Report of December 31, 2009 as presented. Second by Mr. Williams.

On the question, Mrs. Craig asked if these are the actuals for 2009. Mrs. Syms stated they are.

Motion passed without dissent.

Motion by Mr. Craig to adopt the Treasurer's Report of January 20, 2010 as presented.
Second by Mr. Kamus.

Motion passed without dissent.

ENGINEER:

Dave Yefko reported on the letter sent to PennDOT by President Chacke and the Welles Street project.

GENERAL BUSINESS:

Motion in toto by Mr. Craig to accept the reports of the Mayor/Police Department, Fire Department, Code Enforcement Officer, WSLA Representative and Shade Tree Commission.
Second by Mr. Williams.

On the question, Mrs. Craig stated that we have a detailed monthly report from the Forty Fort Fire Chief. Do we ever get a report from the Kingston Fire Chief since these are now consolidated departments? Shouldn't we be getting a report from them as well since our engine goes on all of their calls as well? Mrs. Syms stated that we can ask them for one. Mrs. Syms will speak to the Chief regarding

On the question, Mayor Hoats thanked Adam Michaels and Denise Syms for the hard work they did on the new cruiser and to bring it in on the budget we needed to bring it in at.

Motion passed without dissent.

Motion by Mr. Craig to overturn the decision of the Shade Tree Commission to allow for the removal of a tree located at 14 Virginia Terrace contingent upon her following the stipulations as set forth in the ordinance. Second by Mr. Williams.

On the question, Mr. Michaels stated that he is not related to Ms. Purces Michaels (the homeowner).

Motion passed with one dissenting vote.

Motion by Mr. Craig to adopt the resolution regarding the Tax Anticipation Note. Second by Mrs. Craig.

On the question, Mr. Craig asked if this is for the lowest bid. Mrs. Syms stated that it is for \$225,000 at 2.5% and it was the lowest.

On a roll call vote members voted as follows:

Yes: Dorothy Craig, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams = 6

No: 0

Motion passed without dissent.

Motion by Mrs. Craig to approve the final plan for the Cross Valley Federal Credit Union parking lot. Second by Mr. Michaels.

On the question, Mr. Williams asked if the plans changed at all since Council looked at them. Mr. Yefko stated that they weren't changed.

On the question, Mr. Craig asked if the Planning Commission and the Borough Engineer is happy with them. Mr. Yefko stated that they are.

Motion passed without dissent.

Motion by Mr. Williams to adopt the Family and Medical Leave Act policy. Second by Mrs. Craig.

On the question, Mrs. Craig stated that the original one said that eligible employees can request up to a maximum of twelve weeks of family leave within 24 months. The new one has been changed to twelve. Discussion ensued and Mrs. Syms asked that they table the motion until she has a chance to review the act.

Motion by Mr. Williams and seconded by Mrs. Craig to table the motion.

Motion to table passed without dissent.

Motion by Mr. Craig to adopt Americans with Disabilities Act (ADA) policy. Second by Mr. Kamus.

On the question, Mrs. Craig asked about paragraph three, where it stated the Borough Coordinator/Secretary will inform the employee of the decision, it doesn't state who makes the decision, does it need to be documented somewhere.

Discussion ensued.

Motion passed without dissent.

Motion by Mr. Craig to appoint Mahmoud Elbattah to the Zoning Hearing Board. Second by Mr. Williams.

On the question, Mr. Michaels asked if there were any other applicants. Mrs. Syms stated that there weren't.

Motion passed without dissent.

PAYMENT OF BILLS:

Moved by Mr. Kamus to pay the bills as presented. Second by Mr. Williams.

On the question, Mr. Michaels asked why there was a bill for Nardone's under Recreation. Mrs. Syms explained that it wasn't received during the summer and did not know that it was outstanding until she received a past due notice.

On the question, Mr. Williams asked what the bill for DCED is for. Mr. Nowroski stated that it is the quarterly remittance made to DCED for each permit written.

On the question, Mr. Craig asked if the bill for the detailing on the cruiser is in here. Mrs. Syms stated that it isn't.

On the question, Mayor Hoats explained that the bill for Lackawanna College Police Academy is for mandated police training that they used to do for free.

Motion passed without dissent.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Tom Hudak, 26 Crisman Street, discussed the overnight parking ordinance and his disapproval of it.

President Chacke arrived at 8:47 p.m. and presided over the meeting at that time.

Carol McLaughlin, 25 Yates Street, asked President Chacke to answer her questions that she brought up earlier in the meeting.

GENERAL BUSINESS:

Motion by Mr. Craig to adopt the Family Medical Leave Act policy. Second by Mr. Williams.

President Chacke stated that the original was wrong and he changed it when he retyped it.

On the question, Mr. Michaels asked if it is twelve weeks in a twelve month period.

President Chacke stated that it is.

Motion passed without dissent.

President Chacke read Mrs. Brown's letter of resignation from Forty Fort Borough Council.

Motion by Mr. Craig to regretfully accept Deanna Brown's resignation. Second by Mr. Williams.

Discussion ensued regarding the appointment to fill the vacancy, the reduction in Council scheduled for the next election, the advertising for the vacancy, and that letters of interest will be accepted and due on or before February 21, 2010 depending upon the recommendation and research by the Solicitor.

Motion passed without dissent.

Motion by Mr. Michaels that in light of Deanna Brown's resignation he moves to accelerate the process of going down to seven members effective immediately and not fill the vacancy by petitioning the court. Second by Mrs. Craig.

Motion passed without dissent.

Motion by Mr. Craig to accept applications on a contingency that we are unable to reduce the size of council. Second by Mrs. Craig.

Deadline no earlier than February 22 by 5:00 p.m.

Motion passed without dissent.

Motion by Mr. Williams to adopt a resolution supporting the West Side Landfill Authority's grant application for the cost of surveying the real property owned by the authority. Second by Mr. Craig.

On the question, President Chacke stated that he works for NEPA Alliance and will probably writing the grant application so he will abstain from the vote.

Motion passed with President Chacke abstaining.

ADJOURNMENT:

Motion by Mr. Michaels to adjourn. Second by Mr. Williams.

Motion passed.

The meeting adjourned at 9:39 P.M.

Respectfully submitted,

Denise Syms
Borough Secretary/Coordinator