

FORTY FORT, PA

February 2, 2009

Regular Meeting of Council

The regular meeting of Forty Fort Borough Council was held on Monday, February 2, 2009 at the Forty Fort Borough Building ,
1271 Wyoming Avenue
, Forty Fort, with President Joseph Chacke presiding.

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

Also present were Mayor Boyd Hoats Jr. and Solicitor Samuel A. Falcone. Borough Secretary/Coordinator Denise Syms arrived at 7:45 p.m. There were seven (7) visitors and one member of the media.

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

President Chacke appointed Dick Yingst temporary secretary until Denise Syms, Borough Secretary, can arrive.

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 Mr. Kamus to approve the minutes of the regular meeting of Council held on January 5, 2009 as presented. Second by Mr. Craig.

On a roll call vote members voted as follows:

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

No = 0

Motion passed without dissent.

Motion by Mr. Michaels to approve the minutes of the worksession of Council held on January 19, 2009 as presented. Second by Mr. McCabe.

Motion passed without dissent.

RESIDENTS AND TAXPAYERS COMMENTS PETITIONS:

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Gary Kinnis,
1094 Rutter Avenue
, requested a cost share for the removal of a tree in front of his house. He paid \$500 for the removal and received two quotes prior to the removal.

Motion by Mrs. Mascelli to cost share up to \$250 for the removal of a tree lawn tree in front of
1094 Rutter Avenue
. Second by Mr. Yingst.

Motion passed without dissent.

Bill Letwinsky, on behalf of Mericle Comm. Real Estate on
Welles Street
, gave a brief summary of the revision they are requesting for the
Welles Street
project. The current parking design will cause a hardship for them.

TREASURER'S REPORT:

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Motion by Mr. McCabe to approve the Treasurer's Report of December 31, 2008 and January 20, 2009 as presented. Second by Mr. Craig.
On the question, Mr. Michaels asked about the general fund miscellaneous income on the December 31, 2009 treasurer's report.
On the question, Mr. Kamus asked about the \$53,000 note on the treasurer's report. President Chacke stated that it is the loan we took out to purchase a truck for the street department.
Motion tabled until later in the meeting.

REPORT OF THE MAYOR:

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Mayor Boyd Hoats Jr. read the report of the police department for the month of January

2009.

FIRE CHIEF:

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Chief Shedlarski reported that for January there were 55 calls and 184 man-hours.

ENGINEER:

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Dave Yefko, Borton-Lawson Engineering, updated Council on the Commerce Park Project.

CODE ENFORCEMENT OFFICER:

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Steve Nowroski read the code enforcement report for January 2009. Total income was \$3,380.

SHADE TREE COMMISSION:

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

GENERAL BUSINESS:

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Motion by Mr. Yingst to adopt an amendment to Ordinance No. 2008-1 – Shade Tree Commission. Second by Mr. Michaels.

Motion passed without dissent.

Motion by Mr. Williams to adopt an amendment to Ordinance No. 2002-7, an ordinance of the Borough of Forty Fort, Luzerne County, PA , concerning a revision to Forty Fort Code Chapter 56 – Trees, Weeds, and Other Vegetation. Second by Mr. McCabe.

Motion passed without dissent.

Motion by Mrs. Mascelli to continue the flood insurance for the borough building (coverages: \$214,300 building, \$67,000 contents) for a premium of \$2,665. Second by Mr. McCabe.

On the question, Mr. Craig asked if it is enough coverage. This was increased two years ago and it is strictly flood insurance.

Motion passed with one dissention (Mr. Kamus).

Motion by Mr. McCabe to continue the flood insurance for the borough garage (coverages: \$60,500 building, \$34,300 contents) for a premium of \$806. Second by Mr. Craig.

On the question, Mr. Williams asked if it would cover the vehicles that we store in the garage. Without looking at the policy, President Chacke would say that it does not. Atty. Falcone stated that normally it does not cover vehicles.

Motion passed without dissent.

Motion by Mr. Williams granting the WVCA's request for tax forgiveness for 2008. Second by Mr. McCabe.

On the question, Mr. Yingst asked if this is tax forgiveness or granting them non-profit status. President Chacke stated that this is for tax forgiveness for 2008. By the time they switched ownership of the building, it was too late for the County to grant them the tax forgiveness. They are granted from 2009 on.

Motion passed without dissent.

Motion by Mr. Yingst to enter into an agreement with the Kingston Ambulance formalizing Kingston Ambulance as Forty Fort Borough's primary BLS and ALS ambulance provider. Second by Mr. Kamus.

On the question, President Chacke explained that this formalizes what we are currently doing and there is a remediation clause.

Motion passed without dissent.

Motion by Mr. McCabe to accept the Storm Water mapping proposal from Borton-Lawson Engineering. Second by Mr. Michaels.

On the question, Mr. Craig asked the price. President Chacke stated it is approximately \$3,200 and is required under the NPDES permit.

Motion passed without dissent.

Motion by Mr. Craig to appoint Councilman Dave Williams as Forty Fort's West Side Landfill Authority representative. Second by Mr. McCabe.

On the question, Mr. Yingst asked why we are doing this and that he thought it was dissolved. President Chacke stated that it is not dissolved and that we were using Duane Kersteen, who was our representative but his term has expired. He has stopped attending meetings and we need someone to represent Forty Fort.

Motion passed without dissent.

Motion by Mr. Yingst to table the matter regarding
Welles Street
parking. Second by Mr. Craig.

On the question, Mr. Craig asked if it will be discussed at the work session. President Chacke stated that Council will discuss it at the work session with Chris Borton and vote on it at the March meeting.

On the question, Mr. Michaels asked Mr. Letwinsky if Mericle will pay for the pole location and costs associated with it. Mr. Letwinsky stated that the pole relocation has two parts. The first part is the fee to be paid to the electric company which would be paid by the project and the second part is the conduit relocation which would be paid by Mericle.

Mr. Yefko stated that there are actually three parts. The pole relocation would be \$19,000. The cost for the conduit relocation was \$10,000 or \$15,000. The third part is the cost to provide temporary service which is around \$30,000. Mericle would pay for the conduit relocation and shut down during the weekend to do away with the temporary service costs. Further discussion ensued as the time frame of the project and that the proposed changes will not delay the project.

Mr. Michaels asked if any additional costs will be incurred by the Borough for the proposed changes. Mr. Yefko stated that the costs have already been incurred.

Motion passed without dissent.

TREASURER'S REPORT:

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Motion by Mr. Craig to approve the Treasurer's Report of December 31, 2008 and January 20, 2009 as presented. Second by Mr. McCabe.

On the question, Mr. Michaels asked what miscellaneous income on the December 31, 2008 treasurer's report consisted of. Mrs. Syms stated that it consisted of a refund of an overpayment from Scranton Times/Citizens Voice for advertising and a reimbursement from the Grant Technology account for an invoice that was paid out of the general fund.

Mr. Kamus asked if the \$53,000 note is for the truck. Mrs. Syms stated that it is.

Motion passed without dissent.

PAYMENT OF BILLS:

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

Motion passed without dissent.

EXECUTIVE SESSION:

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Council adjourned to Executive Session to discuss personnel/legal matters at 8:18 p.m. and reconvened at 8:40 p.m.

MOTIONS RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION:

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Mrs. Syms stated that the mapping from Borton-Lawson will be \$2,100 and includes mapping of all storm drains in the Borough.

ADJOURNMENT:

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

Motion passed.

The meeting adjourned at 8:41 p.m.

Respectfully submitted,

Denise Syms
Borough Secretary/Coordinator