

FORTY FORT, PA

January 4, 2010

Swearing-in ceremonies were held on Monday, January 4 at 7:00 P.M. in the Forty Fort Borough Building, 1271 Wyoming Avenue, Forty Fort.

Denise Syms, Notary Public, administered the Oath of Office to Mayor Boyd Hoats, Jr.

Mayor Hoats administered the Oath of Office to Council Members: Deanna Brown, Dorothy Craig, Betty Mascelli, Joseph Chacke, and Tax Collector Ronald Jeffery.

Reorganization Meeting

The Reorganization Meeting of Forty Fort Borough was called to order with Mayor Boyd Hoats presiding at 7:15 P.M.

Council Members present were as follows: Deanna Brown, Dorothy Craig, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams, and President Joseph Chacke.

Motion by Mr. Chacke to appoint Denise Syms as secretary. Second by Mr. Craig.
Motion passed without dissent.

Mayor Hoats asked for nominations for President of Forty Fort Borough Council.
Frank Michaels nominated Robert Craig for President of Forty Fort Borough Council.
Second by Dorothy Craig. Mr. Craig accepted the nomination.
Betty Mascelli nominated Joseph Chacke for President of Forty Fort Borough Council.
Second by Deanna Brown. Mr. Chacke accepted the nomination.
There were no other nominations.

Magistrate Barilla arrived at this time for the swearing-in ceremony. Magistrate Barilla administered the Oath of Office to Mayor Boyd Hoats Jr.

On the question, Mr. Chacke asked Solicitor Samuel Falcone to clarify if there is a conflict with the Craigs in voting or nominating each other. Atty. Falcone asked for a brief executive session to discuss the issue.

Council adjourned to Executive Session to discuss the issue at 7:19 P.M. and reconvened at 7:29 P.M.

On the question, Mr. Craig stated that if elected Council President he would donate back to the borough any monies that he would receive above and beyond that which all of council members would receive.

Mayor Hoats stated that his biggest concern as being Mayor this year is the contract year for the police and there have been rumors and innuendos flying around about the possibility of disbanding the police. He sent out emails to both Joe and Rob today asking for their written opinion on whether or not they are in support of an ordinance disbanding the police, both responded no and went on to explain that they would work with the contract getting everything evaluated and to work with the police.

On a roll call vote, members voted as follows for Robert Craig for President:

Yes: Dorothy Craig, Robert Craig, Charles Kamus, and Frank Michaels = 4

No: Deanna Brown, Joseph Chacke, Betty Mascelli, Dave Williams, and Mayor Boat Hoats = 5

Tie Breaking Vote cast by Mayor Boyd Hoats.

On a roll call vote, members voted as follows for Joseph Chacke for President:

Yes: Deanna Brown, Joseph Chacke, Betty Mascelli, Dave Williams, and Mayor Boat Hoats = 5

No: Dorothy Craig, Robert Craig, Charles Kamus, and Frank Michaels = 4

Tie Breaking Vote cast by Mayor Boyd Hoats.

Joseph Chacke was elected President of Council.

Mayor Hoats congratulated President Chacke and President Chacke assumed the Chair.

President Chacke then opened the floor for nominations for Vice-President of Council.

Mr. Williams nominated Betty Mascelli for Vice-President of Council. Second by Mr. Chacke. Ms. Mascelli accepted the nomination.

Mrs. Brown nominated Robert Craig for Vice-President of Council. Second by Mrs. Craig. Mr. Craig accepted the nomination.

There were no other nominations.

On the question, Mrs. Brown asked Solicitor Falcone if she had to vote for who she nominated. Attorney Falcone explained that she can vote for either candidate.

On a roll call vote members voted as follows for Betty Mascelli for Vice-President of Council:

Yes: Joseph Chacke, Charles Kamus, Betty Mascelli, Dave Williams, and Mayor Boyd Hoats = 5

No: Deanna Brown, Dorothy Craig, Robert Craig, Frank Michaels, = 4

Tie Breaking Vote cast by Mayor Boyd Hoats.

Betty Mascelli was elected Vice-President of Council.

Motion in Toto for appointment of Borough Officials:

Solicitor, Samuel A. Falcone, Jr.

Borough Engineer, Borton-Lawson Engineering

Borough Treasurer, William Bookwalter

Zoning Solicitor, Jack Gill

Building Inspector/Code Enforcement Officer, Stephen Nowroski

Fire Chief, James Shedlarski

Fire Marshall, Bob Smith

Health Officer, Eleanor Babonis

Moved by Mr. Williams. Second by Ms. Mascelli.

Motion carried without dissent.

Motion by Mr. Williams for Citizen's Bank to be the depository of Borough Funds.
Second by Mrs. Brown.

On the question, Ms. Mascelli asked if this is our current depository. President Chacke explained that it is where our accounts are.

Motion carried without dissent.

Motion by Mr. Williams to continue the Employee Bond. Second by Mrs. Brown.
On the question, Mr. Craig asked who this covers. Mrs. Syms stated that it covers all the employees.

Motion carried without dissent.

Motion by Mr. Craig to hold Council meetings on the first Monday of each month at 7:30 P.M. with a codicil that if this date falls on a legal holiday, the meeting will take place the following day. Second by Mr. Williams.

Motion carried without dissent.

Motion by Ms. Craig to hold Work Sessions on the third Monday of each month at 7:30 P.M. with a codicil that if this date falls on a legal holiday, the meeting will take place the following day. Second by Ms. Mascelli.

Motion carried without dissent.

President Chacke will have the 2010 Council Committee appointments for the work session.

Motion by Mr. Craig to adjourn the Reorganization Meeting. Second by Mrs. Brown.

Motion carried without dissent.

The Reorganization Meeting adjourned at 7:38 P.M.

Regular Meeting of Council

The regular meeting of Forty Fort Borough Council was held on Monday, January 4, 2010 at the Forty Fort Borough Building, 1271 Wyoming Avenue, Forty Fort, with President Joseph Chacke presiding.

Council Members present were as follows: Deanna Brown, Dorothy Craig, Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams, and President Joseph Chacke.

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.

President Chacke called the meeting to order at 7:38 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. Kamus to approve the minutes of the Regular Meeting of Council held on December 7, 2009 and the minutes of the special meeting held on December 21 as presented. Second by Mr. Craig.

On a roll call vote members voted as follows:

Yes: Robert Craig, Charles Kamus, Betty Mascelli, Frank Michaels, Dave Williams, President Joseph Chacke = 6

No: 0

Abstain: Deanna Brown (was not in attendance at the last two meetings) and Dorothy Craig (was not a member of council and did not have the opportunity to read them) = 2

Motion passed with noted abstentions.

Motion by Mr. Craig to approve the minutes of the work session held on December 21, 2009 as presented. Second by Mr. Williams.

Motion passed without dissent.

COMMUNICATIONS:

Mrs. Syms read the following communications:

On December 28, 2009, Mike Balash of Dallas, PA, presented to Forty Fort Borough a 3'x5' POW-MIA flag to be flown at the borough building on Wyoming Ave. in memory of MIAs Bernie Rupinski and Wayne Wolf Keil and the late Joe Jannone of Forty Fort.

President Chacke received a letter of interest from Mahmoud Elbattah. Mr. Elbattah was in the audience and read the letter of interest in being appointed to the Zoning Hearing Board.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS:

Pat Judge asked that Council reappoint him as Forty Fort's representative to the Wyoming Valley Sanitary Authority Board. He discussed his qualifications and his accomplishments while on the board and while representing Forty Fort.

Carol McLaughlin, discussed her disapproval of Mr. Judge as the WVSA representative, not wanting the processing of Marcellus shale in the area, and how the theft report was handled at the WVSA.

Robert Jacob, Chairman of the WVSA, stated his recommendation to Forty Fort to reappoint Pat Judge to the WVSA.

Mr. Craig asked Mr. Jacob if he is a resident or taxpayer. Mr. Jacob stated that he is not. Mr. Craig feels he should not address Council. President Chacke stated that he is an interested party and under the Sunshine Act can speak.

Fred DeSanto, WVSA, stated his support for Pat Judge as WVSA representative. He also discussed the Marcellus shale transport and the theft issue at WVSA.

TREASURER'S REPORT:

Motion by Mr. Kamus to approve the Treasurer's Report of December 20, 2009 as presented. Second by Mr. Williams.

On the question, Mr. Michaels asked what the carry over is. Mrs. Syms stated that she is still balancing the book, but projects \$59,000.

Motion carried without dissent.

REPORTS:

Motion in toto by Mr. Craig to accept the reports of the Mayor/Police Department and Code Enforcement Officer. Second by Ms. Mascelli.

On the question, Mr. Williams stated that there is no report for the WSLA because no meeting was held in December.

Mayor Hoats stated that there are two reports for the police, one for December and one for the year.

Motion passed without dissent.

ENGINEER:

Dave Yefko reported on the Welles Street project and the change order number four. He also stated that the PAWC wants a list of streets that will be paved this year and the gaming grant was submitted for the next section of Welles Street.

GENERAL BUSINESS:

Motion by Mr. Kamus to table the adoption of the ordinance providing for a change in the current traffic pattern of a road/alley known as Turkey Hill Alley from “two-way” running north to south from Shoemaker Street to Yates Street to “one-way” running south to north from Yates Street to Shoemaker Street. Second by Ms. Brown.

On the question, President Chacke stated that it is tabled and if we have an answer by the February meeting it can be passed at that time.

Motion passed without dissent.

Motion by Mr. Craig to appoint Atty. VanJura to the WVSA board. Second by Mrs. Craig.
Motion by Ms. Mascelli to re-appoint Pat Judge to the WVSA board.

Mr. Craig stated that he already made a motion and second for Atty. VanJura. President Chacke asked for the motion on the agenda which is to re-appoint Pat Judge to the WVSA board. Solicitor Falcone explained that the President of Council asked for the motion first so that is the one that needs to be disposed of first.

Mr. Kamus seconded the motion on the table to re-appoint Pat Judge to the WVSA board.

On the question, Mrs. Craig stated the when she was in the audience for the past several months there was a motion made to accept applications or letters of interest from individuals. Mrs. Craig asked if everyone on Council had the opportunity to read those letters. President Chacke stated that the ones that turned them in on time where given to Council. Mrs. Craig asked why is it that their names are not considered here. President Chacke stated that you can vote your mind based on it.

On the question, Mr. Craig asked why was the motion to re-appoint Pat Judge. President Chacke explained that he sets the agenda.

On the question, Mrs. Craig asked Mr. Judge that according to Mr. Judge’s financial disclosure concerning TransMed ambulance you are listed as an investor. Mr. Judge stated that he is listed on his tax returns as a partner. Mrs. Craig stated that being an investor does not make one an owner. Mr. Judge stated that in this particular case it does.

Solicitor Falcone explained that since he is a partner in the real estate company makes him eligible. He also has the an interest in the ambulance company

Mr. Craig requested a roll call vote.

On a roll call vote members voted as follows:

Yes: Charles Kamus, Betty Mascelli, Frank Michaels, and President Joseph Chacke = 4

No: Dorothy Craig, Robert Craig, and Dave Williams = 3

Abstain: Deanna Brown (didn’t have time to review the material) = 1

Motion passed.

PAYMENT OF BILLS:

Moved by Ms. Mascelli to pay the bills as presented. Second by Mr. Williams.
Motion passed without dissent.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Christine Dixon, Eastern Outreach Specialist for PSAB, introduced herself to Council and explained her job and some of the services that PSAB offers.

Maryanne Belles, 91 Oak Street, addressed Council regarding her concern for vehicles parking illegally on Oak Street.

Al Tondora, 1666 R. Wyoming Avenue, discussed that the alley is in rough shape and repairs are needed. Mr. Yefko stated that the alley is currently being looked into because of the ponding issues.

Mr. Tondora also discussed the tire business on Wyoming Avenue. Mr. Nowroski stated that it is on the Zoning Hearing Board agenda for Wednesday at 7:00 P.M.

Robert Cole, 76 Walnut Street, thanked Council for the removal of problem tenants at 69 Walnut Street and that he supports the police.

Steve Nowroski, Code Enforcement Officer, spoke in favor of Mr. Elbattah being appointed to the Zoning Hearing Board.

ADJOURNMENT:

Motion by Mrs. Craig to adjourn. Second by Mr. Craig.
Motion passed.

The meeting adjourned at 8:48 P.M.

Respectfully submitted,

Denise Syms
Borough Secretary/Coordinator