

FORTY FORT BOROUGH

COUNCIL MEETING

JANUARY 5, 2015

The January meeting of the Forty Fort Borough Council was held on Monday, January 5, 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, Charles Rick Kamus, Frank Michaels & Karen Martinelli via telephone. Robert Craig was absent.

Also present was Mayor Andy Tuzinski, Rich Kresge & Mark Voyack from Quad 3 Group, Manager Barbara Fairchild & Secretary Bonnie Arnone.

Following invocation, Mayor Tuzinski led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Mrs. Craig to accept the minutes of the October 13, 2014 council meeting. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

Motion by Ms. Troy to accept the minutes of the December 1, 2014 council meeting. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mrs. Craig to accept the minutes of the December 15, 2014 special council meeting. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

Motion by Mrs. Craig to accept the minutes of the December 15, 2014 work session. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

COMMUNICATIONS:

A letter of resignation from council from Robert Craig was read. He will resign as of February 2, 2015 at 7:25 PM.

A letter from Elizabeth Wood from Jr. Leadership asking permission to have a 5 mile run/walk to benefit Candy's Place.

A letter from Kimberly Meckes asking to be appointed to the Shade Tree Commission.

Motion by Mrs. Craig to appoint Kimberly Meckes to the Shade Tree Commission. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

TREASURER'S REPORT:

Motion by Mr. Kamus to accept the Treasurer's report of December 31, 2014 as presented. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

ENGINEER'S REPORT:

Rich Kresge of Quad 3 Group gave a report on several areas throughout the borough that have had recent problems associated with work that is being done by PAWC. During a meeting with PAWC, they have promised that they will take care of any & all problems that their contractor's may cause.

A discussion took place regarding the handicap ramps on River Street. Mr. Kamus did not feel that the contractor had done the work properly. Mr. Kresge stated that the contractor performed the work to PENDOT specifications. Mr. Kresge suggested that there be a meeting with the PENDOT inspector to discuss Mr. Kamus's concerns with the project.

There will be a meeting with River St. resident Mrs. Harvey, Senator Baker, Quad 3 Group, PENDOT & the head of their handicap accessibility division to discuss the fact that Mrs. Harvey believes that the ramp is on her private property. Quad 3 Group believes that the ramp was placed properly in the right of way.

Our street department will make a list of all areas that are experiencing problems as a result of work that the PAWC is conducting. This list will be given to PAWC and advised that if they are not corrected, the borough will perform the work and a bill will be sent to PAWC for reimbursement.

Mr. Kresge stated that Quad 3 Group will perform the engineering work at no cost as in kind services for the feasibility study project.

Mark Voyack from Quad 3 Group stated that the sewer rehab project is ongoing despite the weather. They will continue as long as they can. They will contact Kingston DPW to secure the water source that they will need.

GENERAL BUSINESS:

Motion by Mr. Kamus to accept in toto the following department reports: Forty Fort Fire Chief, Kingston Fire Chief, Shade Tree Commission, Safety Committee & WVSA minutes. Second by Ms. Martinelli. On the question: It was asked if there had been any communications or reports from the Civil Service Commission. Mr. Swaback of the commission answered that their next meeting will be on 1/15/15 after which a report will be forthcoming. Ms. Troy asked about the legal fees that they had asked for. Ms. Fairchild stated that a bill had just been handed to her from Mr. Swaback for \$500.00 but requested that there be a better breakdown to show services rendered. It was also asked if the Civil Service Commission meeting were legally advertised. Ms. Fairchild stated that every meeting they have is advertised in the legal section of the newspaper. She further stated that she has requested a list of dates for the entire year of civil service commission meetings so that she can place one ad in the legal section to save money. Mr. Swaback said that he would get that list of meeting dates to her. All council was in favor of this motion. Motion passed.

OLD BUSINESS:

Motion by Ms. Martinelli to accept with regrets the resignation of Robert Craig from council as of February 2, 2015 at 7:25 PM. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mrs. Craig to Adopt Ordinance #1 of 2015 for Compliance Amendment to the Forty Fort Borough Police Pension Plan and Amendment to the Pension Plan. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to adopt Ordinance #2 of 2015 for Compliance Amendment to the Forty Fort Borough Fire Pension Plan and Amendment to the Pension Plan. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to pay from the USDA Sewer Loan the amount of \$11,778.30 to Mr. Rehab which covers lateral and pipe repairs done under Change Orders #3 & #4. Second by Mr. Kamus. On the question: Mr. Kamus asked if it would be more beneficial to make the payment from the Sewer Fund to which Ms. Fairchild replied that it must be paid from the USDA loan.

Motion by Mr. Kamus to pay the Volunteer Fire Dept. loan payment for the 2004 Fire Rescue Truck. Second by Mr. Michaels. On the question: Ms. Fairchild gave a history regarding this loan followed by Mayor Tuzinski giving the background of this loan. Since a signed loan agreement has not been located as of this time, on the advice of the solicitor, the motion is rescinded and the topic is tabled until the Volunteer Fire Co. secretary has an opportunity to attempt to find a signed agreement with the Borough for repayment of this loan and the exact amount due.

Motion by Mrs. Craig to advertise amendments to the Sewer Ordinance to relieve Brian Stahl from the mandate to hook into the Borough's Sewer System providing it is within 150 feet of his property. Second by Mr. Kamus. On the question: Mrs. Craig stated that this is giving Mr. Stahl preferential treatment by not requiring him to hook into the sewer system. She gave several examples of other property owners in town who were forced to hook into the sewer system despite the fact that they had other on lot systems. A lengthy discussion followed in which Atty. Haley stated that he did not feel that the borough would be open to litigation from those who were forced to hook into should this exception be made for Mr. Stahl. Roll call vote showed the following:

YES: Mr. Kamus, Mr. Michaels, Ms. Troy, Mr. McLaughlin

NO: Mrs. Craig, Ms. Martinelli

Motion passed 4-2.

Motion by Mr. Michaels to amend Forty Fort Rules of Order to include the Consent Agenda. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to enact Resolution #1 of 2015 to revise fees applicable to registration inspections of residential dwellings and fire and safety inspections of commercial occupancies. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

GENERAL BUSINESS:

Motion by Mr. Michaels to approve the Elizabeth Wood 5K Run for March 21, 2015 to benefit Candy's Place. Rain date of March 28, 2015. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

As requested, there will be a quarterly meeting with pension plan employees and Municipal Retirement Trust scheduled for March 16, 2015 at the Council Work session at 7:30 PM.

Ms. Fairchild stated that we are still without a Health Officer due to the retirement of Eleanor Babonis. Mayor Andy Tuzinski is still acting the deputy Health Officer and intends to investigate what steps must be taken in order for him to become the acting Health Officer.

OPEN DISCUSSION:

Mayor Tuzinski presented a flag from the State of Wyoming to Borough Council stating that the state was named after the Wyoming Valley and that there had always been a flag of Wyoming in council chambers until the flag was damaged during cleaning. He stated that he had contacted the Governor of Wyoming and he was gracious enough to send Mayor Tuzinski a complimentary flag for display in our council chambers.

Due to the resignation of Robert Craig, who also is the Vice President of Council, council will have the ability to appoint a council person as Vice President following the appointment of a council member to fill the vacancy left by Mr. Craig's resignation.

PAYMENT OF BILLS:

Motion by Mr. Kamus to pay all bills as presented. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

EXECUTIVES SESSION:

At this time of 9:55 PM, council adjourned to Executive Session to discuss a potential grievance from the Fire Department and a personnel matter involving the Police Department.

ADJOURNMENT:

Council reconvened at 10:15 PM after which Mr. Kamus made a motion to adjourn seconded by Mrs. Craig. All council was in favor of this motion. Motion passed.

Council will meet for a work session on Tuesday, January 20, 2015 due to the Martin Luther King Holiday on Monday, January 19, 2015.

Respectfully submitted,

Bonnie Arnone
Secretary

