

FORTY FORT BOROUGH
REGULAR COUNCIL MEETING

JANUARY 7, 2013

The Regular council meeting of the Forty Fort Borough Council was held on Monday, January 7, 2013 at the Forty Fort Borough Building, 1271 Wyoming Ave., Forty Fort, PA, with Council Vice President Frank Michaels presiding in the absence of council president, Joseph Chacke.

Council members present were Robert Craig, Dorothy Craig, Karen Martinelli (via telephone) & Charles Rick Kamus. Also present were Mayor Boyd Hoats, Manager, Barbara Fairchild & Secretary Bonnie Arnone.

Invocation was done by Rev. Lukish and pledge of allegiance to the flag led by Mayor Hoats.

APPROVAL OF MINUTES:

Motion by Mrs. Craig to approve the minutes of the December 3, 2012 Budget & Regular Meeting. Second by Mr. Craig. All council present was in favor of this motion. Motion passed.

Motion by Mr. Craig to approve the minutes of the December 17, 2012 Work Session. Second by Ms. Martinelli. All council present was in favor of this motion. Motion passed.

Motion by Mrs. Craig to approve the minutes of the Budget Meeting held on December 18, 2012. Second by Mr. Craig. All council present was in favor of this motion. Motion passed.

Motion by Ms. Martinelli to approve the minutes of the Special Council Meeting held on December 31, 2012 with corrections. Second by Mr. Craig. All council present was in favor of this motion. Motion passed.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS ONLY:

Robert Swaback, 15 Susquehanna Ave., Forty Fort asked council if they had seen the article in the paper about the Receiver for Centax had requested the ok to destroy certain documents due to the fact that they had no funds to store them. Atty. Falcone stated that the solicitor for the TCC has filed motions to seek relief from this being done and this is sufficient action at this time.

Mr. Swaback stated that the county had just received substantial funds for flood damages and asked if Forty Fort Borough had submitted all necessary documents to receive funds due them.

Mr. Swaback quoted from a newspaper article which spoke about Michael Lombardo & Joseph Chacke seeking grants for Pittston City and stated that he felt this was a conflict of interest due to their association with Forty Fort Borough.

Carol Seltzer questioned why articles were not submitted to the Times Leader. She was told that the advertising costs for the Citizens Voice were much more reasonable.

Mrs. Seltzer also thanked Barbara Fairchild for pursuing and receiving the insurance payment for the damages done by a recent auto accident to a tree on Pearl St. in Forty Fort. She further stated that she needed the public works dept. worker to submit their hours spent working on trees for the Tree City USA Grant.

Andy Tuzinski, 5 River St., Forty Fort, PA congratulation council on the difficult task of planning and passing a budget which held a minimal tax increase. He further stated that he felt contractual based salaries are on Jan. 1 of each year. When told that the Gaming Grant Application had been submitted for Borough Bldg repairs, he stated that there may be less of a chance of receiving a grant for these purposes rather than for road and/or sewer repairs.

Mr. Tuzinski asked council to consider reorganizing in order to remove Mr. Chacke from his position as council president. He explained that his position in Pittston City could prove to be a conflict of interest. Mr. Tuzinski also volunteered to help canvas the borough to conduct surveys necessary to submit grant applications for the CDBG which is due to Forty Fort this year. Mr. Tuzinski also questioned if the traffic study for River & Turner Sts. had been completed. Mayor Hoats said he would check with the police department to see if this was done.

Motion by Ms. Martinelli to reorganize council. Motion died for lack of a second.

TREASURER'S REPORT:

Motion by Mr. Kamus to accept the Treasurer's report dated November 30, 2012. Second by Mrs. Craig. All council present was in favor of this motion. Motion passed.

GENERAL BUSINESS:

Motion by Mr. Craig to accept the reports from the following departments: Mayor/Police Dept.; Forty Fort Volunteer Fire Chief; Kingston Fire Chief and Code Enforcement Officer. Second by Mrs. Craig. All council present was in favor of this motion. Motion passed.

Motion by Mr. Craig to accept Borough Managers recommendation to proceed with Insurance coverage with Flock Ins. For Public Officials, Employment Practices Liability, Police Prof. with Darwin, Flood, General Liability, Property, Auto & Inland Marine with Selective and Worker's Compensation with State Worker's Insurance Fund to prevent any lapse in coverage. Second by Mrs. Craig. All council present was in favor of this motion. Motion passed.

Due to numerous unanswered questions, a motion was tabled for a Resolution concerning Contractor Licenses. Council will direct any questions they have regarding this topic to Ms. Fairchild who will then forward them on the Atty. Falcone for investigation.

Motion rescinded for Resolution for TAN with First Keystone Community Bank due to the fact that there were additional legal fees totally \$3,000.00 which was more than the cost of the interest on the entire loan.

An amendment to the Contracting License was tabled following much discussion with council and residents who voiced their opinion that making contractors take a test and pay a fee to work in Forty Fort will narrow the field of contractors for residents to choose from.

Motion by Mr. Kamus to pass a Resolution to revise the fees applicable to residential rental units. Second by Mrs. Craig. On the question: Mr. Nowroski explained that owners of rental units who do not charge a fee to their tenants will now be responsible for a \$25.00 fee every two years and be subject to a rental inspection. All council present were in favor of this motion. Motion carried.

Motion by Mr. Kamus to adopt the 2013 Salary Resolution with changes. Second by Mr. Craig. Roll call voted:

YES: Mr. Craig, Mrs. Craig, Mr. Kamus

NO: Ms. Martinelli & Mr. Michaels

****NOTE**** Mr. Craig & Mrs. Craig abstain from only Section 21

Motion passed 3-2.

Carol Seltzer asked council to have a letter written to all residents who have had a tree planted at their property over the past years asking for an amount of money they have spent maintaining the tree. Mrs. Seltzer was told that she was free to script any such letter and the office would put it on Borough letterhead.

Andy Tuzinski, 5 River St., Forty Fort, PA withdrew his earlier petition to council to reorganize council.

At this point, Joseph Chacke joined the meeting via telephone stating that he would be present at the meeting very shortly.

Motion by Mr. Craig to give a vote of confidence to Barbara Fairchild in her duties as Manager for the Borough and all she has completed in her time here and to allow her to do her job as outlined in her job description. Second by Ms. Martinelli.

ROLL CALL VOTE:

YES: Mrs. Craig, Mr. Craig, Ms. Martinelli, Mr. Kamus & Mr. Michaels

NO:

ABSTAIN: Mr. Chacke due to the fact that he just joined the meeting and had not been present for the discussions held before the vote.

At this point, Joseph Chacke arrived at the meeting.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Joseph Danoski, 1621 Wyoming Ave., Forty Fort, PA stated that the borough will lose money from Recycling because of the change to a millage rather than a fee. He was told that calculation had been done and there should be shortfall in that category.

Jeff McLaughlin, 25 Yates St., Forty Fort, PA, asked what the final tax increase was. He was told that it was 5.9% when factoring the Recycle Fee into the millage. He also questioned the proposed ordinance on contractor license fees.

Robert Swaback, 15 Susquehanna Ave., Forty Fort, PA questioned Mr. Chacke about the grant application submitted on behalf of Forty Fort Borough and questioned his position seeking grants for Pittston City.

PAYMENT OF BILLS:

Motion by Mr. Michaels to pay the bills as presented. Second by Mr. Kamus. On the question, Ms. Martinelli questioned a bill for a stop sign and the First Priority Health Care Bill.

All council was in favor of this motion. Motion carried.

****NOTE**** Mr. Craig & Mrs. Craig abstained on line item 413.331 Travel expenses for Thomas Craig only.

Atty. Falcone told council that Mericle Realty had withdrawn their appeal to the denial of lighted signage at his property on the corner of Welles St. & Rutter Ave. When asked if they would have to apply for any other signage, Atty. Falcone stated that as long as the signage was within the rules of the Zoning Ordinance, they would not need to apply for any variances.

At this point council adjourned to Executive Session where Atty. Falcone stated legal matters concerning the McLaughlin lawsuit and Police Grievances would be discussed.

Council returned from Executive Session at 9:52 PM and with no further business to discuss, motion was made by Mr. Craig to adjourn with a second by Mr. Kamus. All council was in favor of this motion. Motion passed.

It was noted that the work session would be held on Monday, January 21, 2012 at 7:25 PM at the Borough Building.

Respectfully Submitted,

Bonnie Arnone
Secretary