

FORTY FORT BOROUGH

COUNCIL MEETING

JULY 6, 2015

The July meeting of Forty Fort Borough Council was held on Monday, July 6, 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 members of council present: Deborah Troy, Dorothy Craig, Joe Lynch, Charles Rick Kamus, Frank Michaels & Karen Martinelli, via telephone.

Also present were Mayor Andy Tuzinski, Solicitor Jack Haley, Chief Dan Hunsinger, Mark Voyack and Carl Schimmel from Quad 3 Group, Manager Barbara Fairchild and Secretary Bonnie Arnone.

GUESTS:

Charles Newhall from Nicholas Trucking and Jack Lane from Mid Atlantic Waste Systems were present to discuss packers with council for the borough recycling process. Pro's and con's of getting a larger capacity packer were discussed. More quotes will be presented to council at the July work session along with information on the cost increase for a larger size vehicle.

CONSENT AGENDA FOR ADMINISTRATIVE ISSUES:

Motion by Mr. Lynch to accept the consent agenda for Administrative Issues. Second by Mr. Michaels. All council was in favor of this motion. Motion passed. The consent agenda consists of the following items:

1. Motion to approve the minutes of the Regular meeting of June 1, 2015
2. No work session was held on June 18, 2015 due to lack of a quorum.
3. Motion to approve the Treasurer's Report
4. Motion to pay bills
5. Motion to accept the Mayor/Police Dept. report, Forty Fort Fire Chief's report, Kingston Fire Chief's Report, Code Enforcement Report & Shade Tree Commission minutes.
6. Motion to accept the communications from the West Side COG regarding the change of schedule for sweeper usage to July 20-24, 2015.

Atty. Haley reported that the Memorandum of Understanding that was presented to council for signage from the Luzerne County Flood Protection Authority has flaws as he interprets it. The language states that the Authority is absolved of all liability or responsibility for any mistakes that they may make. Mayor Tuzinski will speak with the Authority to discuss amending the Memorandum before Forty Fort will sign.

REPORT OF DEPARTMENT HEADS:

CHIEF OF POLICE AND MAYOR:

Mayor Tuzinski reported that thru the Attorney General's office, the Police Department had received a grant for portable breathalyzers tests. The borough was only responsible for the \$125.00 cost of the disposable tips for them.

The vandalism that had occurred to the police department by a resident was also reported. The costs for the repairs will be submitted for restitution through the courts.

Chief Hunsinger and several officers are helping to make the renovations to the Police Department. Dry wall was obtained at a lower than retail cost. Donations from the Fallen Officers Organization will be used for this project; however, there will be some costs that will need to be submitted to the borough for payment from the Police Department budget.

Motion by Mr. Kamus to sell the 2010 Dodge Charger police cruiser with a minimum reserve of \$4,500.00 and earmark any monies earned from the sale to go back to the Police Department. Second by Mr. Michaels. On the question: It was noted that the car has numerous problems and will be sold "as is, where is". Since the vehicle was purchased through a grant, it was questioned if we had any obligation to keep the vehicle for a specific length of time. Ms. Fairchild will look into this. All council was in favor of this motion. Motion passed.

Mayor Tuzinski reported that Officer John Bell has been performing Truck inspections and has given citations totaling \$79,480.00 in fines. With the passage of the new ordinance this evening, it will ensure that the borough will receive 100% of these fines.

Mayor Tuzinski reported that the Families for Forty Fort Park will hold a Movie in the Park for families on July 17, 2015 and a movie for Adults will be held on July 25, 2015 with a showing of Casablanca. Also, a film from 1916 called "Susie Slips One Over" that was produced in Forty Fort will be shown. There will be a Pool Olympics on July 18, 2015 and X-mas in July at the Pool on July 25, 2015.

Mayor Tuzinski introduced Jamie Nelson of One Up Games, a business on Welles St. Mr. Nelson would like to hold a gaming tournament in the community room of the borough building which would benefit local nonprofit organizations. He is looking into the first event being on Sunday, August 2, 2015 to benefit Candy's Place.

Motion by Mrs. Craig to waive the rental fee for the Community Room for this event. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Mayor Tuzinski also introduced Lillian Fiebus of Academy for Learning and Lavender Poulet to council. Ms. Fiebus told council that she would like to hold a farmer's market type event in the parking lot of her business on Wyoming Ave. on a Sunday afternoon, possibly doing the event once a month. The vendors would be only locally owned businesses selling their products and produce. A discussion ensued concerning the fact that a transient vendor fee is \$65.00 per vendor which would be cost prohibitive for the vendors at this event.

Motion by Mr. Kamus to waive the transient vendor solicitation permit fee for vendors at this initial event to take place in the parking lot of Lavender Poulet. Second by Mrs. Craig. On the question: After holding the initial event, it can be determined by the success of the event as to whether the fees would be charged or a mercantile tax would be charged. All council was in favor of this motion. Motion passed.

BOROUGH MANAGERS REPORT:

Ms. Fairchild reported that in addition to her report submitted to council, she wanted to advise council that since May of 2014, the borough has realized a savings of \$8,107.61 in electricity costs since switching from UGI to Key Energy.

She reported that she has received comments from the borough's MS4 Inspection with DEP and everything was favorable. She would like to pursue a grant through USDA for up to \$30,000.00 and will discuss this further at the July work session.

The newly hired part time employee for the street department is working out well. She would like to see if he would be able to stay on for up to 25 hours per week through the end of September to help cover the department during vacations scheduled. She will discuss costs for this at the July work session.

ENGINEER'S REPORT:

The Sanitary Sewer Rehabilitation Project is currently estimated at 85% complete with a contract completion date of July 31, 2015. Work is currently continuing on River St. with approximately 400 feet of sewer line to complete. Remaining trenchless lining including lining of Cayuga and Oneida Sts. will be accomplished when pipe replacement work on River St. is completed. The contract completion date is currently set for July 31, 2015. The Contractor is to request a time extension to complete pavement restoration on the project.

The contractors request for Payment No. 8 in the amount of \$136,178.07 was received by e-mail and the amount is recommended for payment. Quad 3 Group will forward the original when received with USDA pay requisition.

Change Order No. 7 in the amount of \$22,917.75 is recommended for acceptance to perform work on Bedford St. catch basin connection, Yeager Ave. repair to sanitary line and sinkhole and cleaning of 25 feet of cast iron pipe between manholes 3 and 4 on Welles St., to allow trenchless lining of the remainder of the pipe length.

Change Order # 8 is being prepared in the amount of \$39,563.59 for the Contractors added cost including widen trench and flow able fill, between manholes #287 and #288 on River St. is recommended to be accepted.

PAVING WORK:

PENDOT has issued final highway occupancy permit comments and has requested a full set of completed plans. Bank needs to make correction to letter of credit. Quad 3 Group, Inc. plans to bid project within the next month and to complete in late summer or early fall.

Ms. Fairchild noted that the bank needed to only make a correction of figures on one page and it will be ready for signage. They will also need a complete set of plans submitted.

Motion by Mr. Kamus to accept Payment No. 8 in the amount of \$136,178.07. Second by Mr. Lynch. All council was in favor of this motion. Motion passed.

A lengthy discussion ensued concerning Change Order #7. The breakdown for the items in this change order are as follows: Bedford St. work - \$11,375.00; Welles St. work - \$1,300.00; Yeager Ave. work - \$10,242.75 for a grand total of \$22,917.75. Mr. Kamus stated that the bid is too high for Yeager Ave. and bids should be solicited for the work and that traffic control would be handled through the borough's fire police.

Motion by Mrs. Craig to remove Yeager Ave. from Change Order #7; paying for the Bedford St. work from the Borough's Sewer Fund. Welles St. is being done by Mr. Rehab and must be paid from the USDA Loan. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Motion by Mr. Lynch to authorize the Manager and Council President to solicit phone bids for the work necessary on Yeager Ave. not to exceed \$10,500.00 with Fire Police doing the traffic control for the project. Second by Mr. Kamus. On the question: It was questioned why state not to exceed \$10,500.00. Motion was amended to state not to exceed \$8,000.00. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to approve Change Order #8 in the amount of \$39,563.59 for River St. work. Second by Mr. Lynch. All council was in favor of this motion.

Mayor Tuzinski questioned the engineer's about the blockage of a storm drain at the River St. side of the corner of Susquehanna Ave. & E. Turner St. Carl Schimmel stated that he had viewed this situation and felt that the area should be televised to see if recent work near this location had caused a problem. Ms. Fairchild stated that this area had been previously checked by her and Rich Kresge and Mr. Kresge stated that an entirely new storm drain would need to be placed from the opposite side of River St. on Turner St. down to the area in question. In the interim, Quad 3 Inspectors will be asked to examine this situation.

Mayor Tuzinski asked if Snowden St. was involved in any of the planned paving projects. He was told that it was in the project.

Mr. Kamus discussed the manhole heights and inlet adjustments that would need to be met when the paving work is being done. Mr. Schimmel assured council that this will be done. Mr. Kamus reiterated his desire to see that Quad 3 is monitoring this paving work at all times. Mr. Schimmel and Mr. Kamus will meet in the near future to walk the streets to check the manholes and inlets.

RESIDENTS AND TAXPAYERS COMMENTS AND PETITIONS:

Dave Repshas questioned when River St. might be paved. The best time estimation would be September of this year. He also questioned the work to be done on the center portion of Center St. which will be done with a full depth restoration. He asked if this project would be done this year of next. Council stated that it depends on many things but more than likely it will be next year. Mr. Repshas also noted that the Borough's Web site should be updated with current information. Ms. Fairchild stated that the Chief does this and has been very busy with other things. She stated that a newsletter will also be sent to all residents very soon.

GENERAL BUSINESS:

Motion by Mr. Kamus to advertise the Paving Project with bid specs with alternatives. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to adopt the Motor Carrier Enforcement Ordinance #10. Second by Mr. Lynch. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to hire Dwayne Harrison as a part time worker with the Borough's Department of Public Works at an hourly rate of \$10.00 for up to 25 hours per week. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

NEW BUSINESS AND OPEN DISCUSSION:

Atty. Haley and Chief Hunsinger stated that after reviewing the changes that were made to the Police Civil Service Rules and Regulations by the Civil Service Commission, they felt the two changes were administrative changes and had no direct impact on the rules so they were in favor of them. They stated that they had spent many hours going over everything with a fine tooth comb and all was in order. Mr. Michaels asked if the interview committee should be spelled out in the rules. Chief Hunsinger stated that that the committee would be ever changing. He stated that no member of council or the Civil Service Commission would be on the interview committee. Atty. Haley reminded council that these rules were only for the Police Dept. and separate rules for the Fire Department.

Motion by Mr. Kamus to accept Resolution #10, the Civil Service Commission Rules and Regulations as presented for the Forty Fort Police Department. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to advertise for testing for the hiring of a full time police officer. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Prior to the borough having the use of the street sweeper from the West Side COG, Ms. Fairchild stated that the signs should be placed on the streets to be swept indicating the dates that cars would need to be moved. Chief Hunsinger suggested that a patrol car be sent out in front of the sweeper to remove any cars that may still be parked on the streets. He will also do a Code Red alert to the streets in question as well as utilize the web site and social media outlets.

Ms. Fairchild stated that a draft of the newsletter has been given to council for their review. She stated that she would like to get this printed and sent out as soon as possible.

Mr. Lynch set a meeting up with his committee to discuss the Fire Department merger with Kingston Borough.

Mr. McLaughlin encouraged all council to attempt logging onto their e-mails and using the instructions he has given them to begin using the borough's new e-mail through Microsoft 365.

Ms. Fairchild stated that she would like to have representative from the borough pension plan be present at the July work session. She would like to have the FEMA outreach for the September work

session. She also stated that she has been working with Sean Blinn, who is doing an internship with the Borough, on personnel policies and job descriptions.

With there being no further business to discuss, motion to adjourn at 10:30 PM by Mr. Michaels seconded by Mr. Kamus with all council in favor. The July work session will be held on Monday, July 20, 2015.

Respectfully submitted,

Bonnie Arnone
Secretary