

FORTY FORT BOROUGH

COUNCIL MEETING

JUNE 1, 2015

The June meeting of Forty Fort Borough Council was held on Monday, June 1, 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, Joseph Lynch, Charles Rick Kamus, Frank Michaels & Karen Martinelli, via telephone.

Also present were Atty. M. Jack Haley, Mayor Andy Tuzinski, Chief Dan Hunsinger, Carl Schimmel & Rich Kresge of Quad 3 Group, Manager Barbara Fairchild and Secretary Bonnie Arnone.

Invocation was held by Rev. Lukish which was following by the Pledge of Allegiance to the flag led by two cub scouts from a local pack.

GUESTS:

Charles Newhall of Nicholas Trucking spoke with council about the purchase of a recycling truck that would allow the Street Department to do single stream recycling. They were recently able to use a similar type truck loan to us by Edwardsville Borough and found that it reduced the amount of trips needed to the recycle plant and saved time in the process.

Dave Solomon from Municipal Recovery, where our recycling is taken to, spoke with council about the recycling process and how single stream recycling could benefit the borough.

CONSENT AGENDA FOR ADMINISTRATIVE ISSUES:

Motion by Mrs. Craig to accept the Consent Agenda but excluding #5, Payment of Bills. Second by Ms. Troy. This consent agenda contains the following items:

- Motion to approve the minutes of the Regular meeting on May 4, 2015
- Motion to approve the minutes of the special council meeting on May 18, 2015
- Motion to approve the minutes of the work session on May 18, 2015
- Motion to accept the Treasurer's report
- Motion to accept the following Dept. reports: Mayor/Police Dept., Kingston Fire Chief, Code Enforcement Officer, WVSA Minutes, Shade Tree Commission and Safety Commission meeting
- Communications which include: Luz. Co. Recycling-Electronics date June 13, 2015 in Hanover Twp.; ESSA/FNCB interest rate increase, remote capture, courier included; West Side COG Sweeper-Change of schedule – May 14, 15th; Luzerne Co. Flood Protection MOU- Atty. Jack Haley had a few questions and comments for council to address which was not done. Pricing from NRS for single stream recycling/Municipal Recovery; letter acknowledging intention of desire to undertake police contract negotiations.

On the question, Mr. Michaels asked about the Forty Fort being short changed as far as receiving the COG street sweeper due to its involvement in an accident and mechanical difficulties. He asked if we could be given extra time with the sweeper because of this. Ms. Fairchild stated that this topic was discussed at the recent COG meeting and the sweeper schedule had already been changed to include extra time for us. All council was in favor of this motion. Motion passed.

REPORT OF DEPARTMENT HEADS:

Chief of Police and Mayor:

Mayor Tuzinski reported that the recent Movie in the Park held with Families for Forty Fort Park was a great success and thanked the police, Joe Lynch for sound, Mrs. Craig, Families for Forty Fort Park and the DPW staff. He further stated that the police did a great job keeping traffic flowing smoothly after the fireworks at the soccer fields for Memorial Day. The parade and 5K run also went very well. The Police Dept. recently held a saturation patrol with Swoyersville PD, West Wyoming PD and Wyoming PD in which many citations were issued and the police made their presence very well known. Chief Hunsinger reported that the need for a full time officer is very great at this time. Several part time officers have now accepted full time positions elsewhere and he is having difficulty filling shifts.

At this time, Ms. Fairchild clarified some bills that were on the bills list and in the folder, but were not itemized properly. With this being done, a motion by Mr. Michaels to accept the bills report as presented. Second by Mr. Lynch. All council was in favor of this motion. Motion passed.

Report of Borough Manager:

Ms. Fairchild apologized for not having a written report but stated that she is looking to submit the list of next worse condition streets for the next round of the Multi Modal Grant. The possibility of using LED lighting for traffic lights was discussed as saving the borough considerable costs in electricity. Ms. Fairchild asked council to consider other ideas for grant submissions.

Ms. Fairchild stated that she felt it would be a good idea for the Borough to put out a newsletter to inform the residents of what is happening in the borough. She stated that not everyone has access to a computer to learn these things. Each department will be asked to submit an article for the newsletter.

She reported that she has had many complaints about the street paving project and sewer project and Brian Stahl is asking about the hookup for his sewer lateral. Recently, Mr. Stahl had 8" of water in his basement. Pictures were sent to Ms. Fairchild and forwarded to council. She contacted the DPW and if there is something they can do in the interim, they will assist Mr. Stahl to divert the water.

A request was made to Ms. Fairchild from Mr. Adams at R. 970 Wyoming Ave. who owns a driveway/alley behind Pizza Bella that is used as the entrance for his garage as well as the main access to the Bloom Early Education Center and rear access to several businesses that front on Wyoming Ave. Mr. Adams requested that the Borough take over ownership and responsibility for this driveway/alley as it is in dire need of repairs. After some discussion, council stated that this would not be financially feasible for the borough to do this.

Motion by Mrs. Craig to send a letter to Mr. Adams stating that the borough cannot take over ownership of this alley/driveway but suggests soliciting the assistance of those businesses that use the

driveway on a regular basis to keep it maintained. Second by Mr. Lynch. All council was in favor of this motion. Motion passed.

Engineer's Report:

Rich Kresge of Quad 3 Group stated that during a recent meeting with USDA, they learned they will be able to add Yates St., Wesley St. and the portion of Center St. to extend to Fort St. to be included with the USDA loan for Street Paving. This must be full depth restoration. They will be allowed to do the ADA curb cuts and storm inlets on those streets that were originally on the project list, but removed to have the utility company do a mill and overlay, inch and ½ top. Susquehanna and River Sts. are also being looked at by the utility companies but we do not have a definite answer if they will be included in the project.

The original USDA loan was for 1.2 Million dollars of which \$825,000.00 is eligible for actual road work. The cost for the additional work on the above mentioned streets is as follows: Center St. from Walnut to Fort St. - \$147,438.00; Wesley St. from Wyoming Ave. to Murray St. - \$201,320.40; Yates St. from Wyoming Ave. to Murray St. - \$201,320.40. PAWC was contacted to review mill and overlay for Susquehanna Ave. & E. Turner St. We are waiting on an answer from them.

The letter of credit for the HOP approval is in the process with ESSA Bank. This is one of the items that were necessary for the HOP approval that Quad 3 has been working on. There were only a few comments from PENDOT regarding the HOP. Mayor Tuzinski has offered to assist with the delivery of any documents to PENDOT to expedite if necessary.

Plans must be submitted to the Conservation District which will take approximately 30 days. The bid spec's can then be prepared. We are looking for a timeline for mid August 2015 for spec's to be advertised.

Mr. Kamus asked that Quad 3 Group make any adjustments needed for re-setting manhole tops and any inlets for any of the streets in the project. He wants the data from the original survey from 2012 to be compared to ensure that the paving sub-contractors would have correct survey levels for the roads to be able to drain to the inlets properly and have a good center crown again. He wants to have the sewer lines videoed for all streets that PAWC and UGI worked on to make sure that there are no problems with the laterals.

Regarding the sewer rehab project, work on River Street is on hold due to Quad 3 reviewing the flow able fill estimates received from Ed Krasavage. Mr. Voyack seemed to think that we could work out the figures and that the trench work may not be 10 feet wide and would be reducing down to 8 ft. or less at the nearest manhole from where he left off.

Regarding the sewer extension for Brian Stahl on E. Turner St., Mr. Angerson from USDA agreed that the funds could be used from the USDA loan as part of the project to complete Mr. Stahl's request and change of ordinance that was granted.

Quad 3 Group and Ms. Fairchild are working to finalize the Flood Mitigation Grant for Pearl St. and work on Abraham's Creek flood channel.

RESIDENTS AND TAXPAYERS COMMENTS AND PETITIONS:

Carol Seltzer of the Shade Tree Commission respectfully returned the \$75.00 check given to her to defray costs she incurred when she purchased 10 new trees for the borough from her own funds. She thanked council, but stated that she wanted to buy all the trees herself. Council and those in attendance thanked Mrs. Stelzer for her dedication to the borough.

At this time, council member, Frank Michaels requested to be excused as a member of council and address council as a private citizen. Mr. Michaels stated that he had received much several complaints from local veterans because of the fact that political campaigning was allowed during the recent Memorial Day Parade in Forty Fort. Mayor Tuzinski stated that he also had several complaints of a similar nature as well as the loud pop music that was broadcasted from a truck in the parade. Mr. Lynch stated that many veterans he spoke with were unhappy because the ceremony in the cemetery was over before the parade was even finished. Mayor Tuzinski stated that the parade committee will meet in January of 2015 to begin plans for next year's event. He plans on attending to relay these concerns to those in charge. Following this discussion, Mr. Michaels returned to the council table.

Joe Danoski, 1621 Wyoming Ave., Forty Fort, asked who was inspecting Mr. Rehab's work. Mr. Kresge stated that they have a dedicated engineer who is on the job at all times inspecting the work. Mr. Danoski stated that no one was inspecting the work when it was done in front of his property and that there was a problem. Ms. Fairchild and Mr. Kresge stated that would look into this matter for him.

GENERAL BUSINESS:

Motion by Mr. Kamus to advertise the dates for the CDBG survey for road paving. Second by Mr. Lynch. On the question: Mr. Tuzinski, Mrs. Craig & Mr. Michaels will decide on the dates when they will begin the survey work upon which time it will be advertised. All council was in favor of this motion. Motion passed.

Motion by Ms. Martinelli to accept the bid of \$850.00 from Tom's Tree Service for the removal of a hazardous tree directly in front of the Borough Building at 1271 Wyoming Ave. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to accept with regret the resignation of police officers Richard Andress and Michael Haley. Second by Mrs. Craig. On the question: It was noted that this was a great loss to the department but they were both able to secure full time police positions nearby. All council was in favor of this motion. Motion passed.

NEW BUSINESS AND OPEN DISCUSSION:

Motion by Mr. Michaels to advertise the Motor Carrier Enforcement Ordinance. Second by Mrs. Craig. On the question: Chief Hunsinger explained that this ordinance will allow the officer to offer an option to the charged operator/owner of a commercial vehicle that has been pulled over for violations to plead guilty to a borough ordinance charge rather than a vehicle code violation thus avoiding points on the operator's license and garnering the total fine for the borough. In order for this to happen, the operator/owner must request a hearing. Atty. Haley has reviewed this ordinance and states that it is

fine and that numerous other municipalities use this same ordinance. Mr. Kamus stated that the language is vague. Roll call vote showed the following:

YES: Mrs. Troy, Mrs. Craig, Ms. Martinelli, Mr. Lynch, Mr. Michaels & Mr. McLaughlin

NO: Mr. Kamus

Motion passed 6-1.

Robert Swaback of the Civil Service Commission was present and stated that the Commission will be meeting on Thursday, June 4, 2015 at which time the proposed set of Rules and Regulations reviewed and prepared by Chief Hunsinger & Atty. Haley will be presented to their attorney for review. When returned to the Borough, Chief Hunsinger & Atty. Haley will review once again if any changes are requested by the Commission. This should all be able to take place by the June work session set for June 15, 2015. The need for a second set of Civil Service Rules and Regulations for the Fire Department was also discussed. It was agreed that a member of the Fire Dept. should be involved in this preparation.

Ms. Fairchild advised council that for the last payroll period, the fire department had \$5,359.70 in overtime that was not budgeted. She asked to have a meeting with the fire department about overtime.

Motion by Mr. Lynch to complete and submit the application to HUD for the 2016 CDBG \$100,000.00 grant. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to advertise for a part time DPW worker at the rate of \$10.00 per hour for up to 25 hours per week. Second by Mrs. Craig. On the question: Ms. Fairchild asked due to the employee going on medical leave that there may be a necessity for a special meeting to hire. All council was in favor of this motion. Motion passed.

Ms. Fairchild advised council that a refund of \$354.49 for property taxes for 2014 has been made to a local disabled veteran. Many disabled veterans are now applying for such exemptions.

With there being no further business to discuss, a motion to adjourn was made at 10:00 PM by Mr. Kamus and second by Mr. Lynch. The work session will be held on Monday, June 15, 2015 at 7:30 PM.

Respectfully submitted,

Bonnie Arnone
Secretary