

FORTY FORT, PA

MARCH 5, 2012

Regular Council Meeting

The regular meeting of the Forty Fort Borough Council was held on Monday, March 5, 2012 at the Forty Fort Borough Building, 1271 Wyoming Ave., Forty Fort, PA., with President, Joseph Chacke, presiding.

Council members present were as follows: Dorothy Craig, Robert Craig, Charles Rick Kamus, Betty Mascelli, Frank Michaels & Karen Martinelli.

Also present were Michael Lombardo/Quad 3, Solicitor Samuel Falcone, Mayor Boyd Hoats & Bonnie Arnone, Assistant Secretary. Borough Secretary.

President Chacke called the meeting to order at 7:30 PM.

Invocation was given by Reverend William Lukish of the Forty Fort United Presbyterian Church followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES:

Motion by Ms. Martinelli to approve the minutes of the February 6, 2012 meeting of council. Second by Mrs. Craig.

All Council in favor of motion. Motion passed without dissent.

Motion by Mr. Craig to approve the minutes of the February 21, 2012 Council Work Session with the following correction: Meeting date is February 21, 2012. Second by Mrs. Craig.

All Council in favor of motion. Motion passed without dissent.

COMMUNICATIONS:

Mr. Chacke read a letter from the PA American Water Co. in which they will exchange the paving curb to curb following the installation of new water mains on Oak, Tripp, Murray, Dana & Taylor Place for waiving of permit fees. A motion to allow the Water Co. to forego obtaining Pave Cut permits with fees associated in exchange for the curb to curb pavement of aforementioned roadways was made by Mrs. Mascelli. Motion seconded by Mr. Kamus.

All council in favor of motion. Motion passed without dissent.

Mr. Chacke told council that he has received from Senator Baker and a letter from Representative, Phyllis Mundy offering support of the Boroughs approval of the gaming funds applications.

Mr. Chacke read an e-mail correspondence from Mr. David Yefko of Borton Lawson Engineering regarding a request for payment to Popple Construction in the amount of \$148,944.06 which represents all but a 10% retainage for the Welles St. Phase II Project. A motion to approve this payment was made

by Mr. Craig and seconded by Mr. Kamus. Following discussion, the motions were rescinded and the matter was tabled until Mr. Yefko could be questioned about the remaining items that must be addressed with Popple on the project.

TREASURER'S REPORT:

Motion by Mr. Michaels to accept the Treasurer's Report of February 20, 2012 as presented. Second by Mrs. Craig.

All Council was in favor of the motion. Motion passed without dissent.

ENGINEER'S REPORT:

Michael Lombardo of Quad 3 reported that he is organizing data regarding the water problem on Virginia Terrace residents. He will speak with Borton Lawson about the remaining punch list items for the Welles St. Phase II project. Mr. Michaels questioned Mr. Lombardo about the delineators on Wyoming Ave. and the possibility of having the insurance company of the driver who was involved in the accident which damaged them be responsible for their replacement.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS:

Andy Tuzinski of 501 River St., Forty Fort, PA, EMA Direction, spoke with council about the possibility of having the two remaining Public Works Dept. pumps overhauled completely to be kept in the best possible condition. A motion was made by Mr. Craig to have the pumps worked on with a price not to exceed \$2,000.00. Mr. Kamus stated that that amount was much more than the cost should be. He stated that he would get some prices for council by the work session. Mr. Craig rescinded the motion and the subject was tabled until the March 19, 2012 meeting.

GENERAL BUSINESS:

Motion by Mrs. Craig to accept the reports of the Mayor/Police Dept., Forty Fort Volunteer Fire Chief, Code Enforcement Officer and WVSA Representative. Second by Ms. Martinelli.

All Council was in favor of the Motion. Motion passed without dissent.

Motion by Mr. Kamus to overturn the denial of a tree removal at 298 River St., Forty Fort, PA. Second by Mr. Michaels. Motions made with the condition that the resident remove the tree at their own cost and replace with an acceptable tree.

All Council was in favor of the motion. Motion passed without dissent.

Motion by Mrs. Craig to re-hire Daniel Zukosky as a part time public works dept. employee on a temporary basis. Second by Mrs. Mascelli.

All Council was in favor of the motion. Motion carried without dissent.

Motion by Mr. Michaels to raise the hourly rate of Borough Clerk, Bonnie Arnone to \$11.00 per hour from now until four (4) weeks after the start date of a Borough Manager. Upon that time, the hourly rate will return to \$9.75 per hour. Second by Mr. Craig.

All council was in favor of the motion. Motion carried without dissent.

Motion to authorize President Chacke to execute Loan documents with Landmark Bank for the purchase of a new DPW Truck was made by Betty Mascelli. Second by Mr. Craig. This loan will be for five (5) years at 2.91% interest.

All council was in favor of the motion. Motion carried without dissent.

A motion to delegate voting authority to the Council President for the PSAB Annual Conference was made by Mr. Kamus. Second by Mr. Michaels.

All council was in favor of this motion. Motion carried without dissent.

#### PAYMENT OF BILLS:

Motion to pay bills as presented was made by Mr. Michaels. Second by Mr. Craig.

Yes: Mr. Michaels, Mr. Kamus, Mrs. Mascelli, Mr. Chacke & Ms. Martinelli.

Mr. Craig & Mrs. Craig voting yes on all bills but abstaining on the payment of mileage reimbursement to Thomas Craig.

#### RESIDENTS & TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Phil Mertz of 93 Virginia Terrace, Forty Fort, apologized to council for his conduct at the February meeting of council regarding his water problems on his property. He thanked Mr. Lombardo for his constant communications regarding the resolution of the problem. He also showed council photo's of a large tree on his property which has recently been damaged by a passing truck. Council suggested he report the damage to his homeowner's insurance company.

Luther Bonning, 69 Oak St., Forty Fort, suggested that council look into a PA system for the council chambers as the audience has a difficult time hearing council speak. He also thanked the police dept. for ticketing vehicles that did not have a 2012 parking permit but said that there's even more out there that are violating the ordinance.

Floyd Bohlen of 28 Susquehanna Ave., Forty Fort, stated that there is a large tree on his tree lawn that that is dying, tearing up his sidewalk & poses a safety issue for his children & vehicles from large falling branches. Since his request to remove the tree was denied by the Shade Tree Commission, Mr. Chacke asked council members to inspect the tree in question before the March 19, 2012 continuation of this council meeting where and appeal to the denial can be discussed.

Robert Swaback, 15 Susquehanna Ave., Forty Fort stated that he is opposed to the hiring of a Borough Manager. He questioned council as to why this subject had not been mentioned in the latest borough newsletter. Council explained that when the newsletter went to print, there had been no decision to do so.

Carol Seltzer of the Shade Tree Commission questioned council why the stumps have not been removed from the locations where the borough had trees removed. After a discussion, it was decided to have the borough public works dept. rent a grinder to remove the stumps. Carol also stated that she would like to have Shade Tree Commission meetings at 7:00 PM on the evening of Council work sessions or the third Monday of each month.

Jeff McLaughlin of 25 Yates St., Forty Fort questioned council on the gaming funds grant and what it will be used for. He was told that the first phase of the grant was for renovations to the borough's police department. The second phase will be for a Helicopter Parking Area at the Forty Fort Airport. He asked if there had been no other projects that could have been considered for these grants.

Andy Tuzinski, 501 River St., Forty Fort also questioned council as to the use of the gaming funds grant money stating that there were many other projects that would have been more deserving of the funds.

EXECUTIVE SESSSION:

Council held a recess to enter an Executive Session to discuss matters of personnel & legal issues.

COUNCIL REPORTS:

Mr. Chacke told council that the Managers Ordinance was being advertised and will be available for voting at the continuation meeting on March 19, 2012.

Mr. Michaels asked if council could be provided with reports that would show council a better financial picture. Mr. Chacke told him that he will have reports for council showing the 2012 budget vs. actual expenses.

Mr. Craig shared with council a list of some qualifications he felt would be necessary for any applicants for the Manager's position. Council stated that this will be fully discussed at the Council works session.

Mrs. Craig asked that council consider making a proclamation for the borough's newest Eagle Scout, Ryan Kozich. All council agreed on this.

At 9:30 PM, President Chacke announced that there would be a recess till March 19, 2012 where there would be a continuation of this meeting. That meeting will begin at 7:25.

Respectfully Submitted,

Bonnie Arnone  
Assistant Secretary