

FORTY FORT BOROUGH

COUNCIL MEETING

MARCH 7, 2016

The March meeting of the Forty Fort Borough Council was held on Monday, March 7, 2016 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., with President Jeff McLaughlin presiding.

President McLaughlin called the meeting to order at 7:00 PM with the following council members present: Dominic Butchko, Deborah Troy, Charles Rick Kamus, Frank Michaels & Tom Murray. Dorothy Craig was absent.

Also present were Mayor Andy Tuzinski, Atty. Jack Haley, Chief Dan Hunsinger, Engineer, Rich Kresge of Quad 3 Group and Manager, Bonnie Arnone.

Invocation was led by Reverend Lukish followed by the Pledge of Allegiance to the Flag led by Mayor Tuzinski.

CONSENT AGENDA FOR ADMINISTRATIVE PURPOSES:

Motion by Mr. Kamus to approve the Consent Agenda. Second by Ms. Troy. All council was in favor of this motion with the exception of Mr. Michaels who abstained from voting on the minutes of the 2/15/16 work session due to his absence. Motion passed. The agenda contained the following:

1. Motion to approve the minutes of the 2/1/16 council meeting
2. Motion to approve the minutes of the 2/15/16 council work session
3. Motion to accept the Treasurer's report
4. Motion to accept and pay all bills as presented
5. Motion to accept in toto the following department reports:
 - a. Mayor/Police Department
 - b. Forty Fort Fire Chief – Jan. report
 - c. Forty Fort Fire Chief – Feb. report
 - d. Kingston Fire Chief
 - e. Code Enforcement Officer
 - f. WVSA minutes
 - g. Shade Tree Commission meeting minutes
 - h. Safety Commission meeting minutes
 - i. Manager time sheets for 2/7/16 & 3/2/16 payrolls
 - j. COG Meeting minutes of Jan. 2016
 - k. COG Treasurer's report
 - l. Civil Service Minutes
6. Communications:
 - a. Kingston/Forty Fort Baseball donation request
 - b. Officer Mack Letter

REPORT OF DEPARTMENT HEADS:

CHIEF OF POLICE AND MAYOR:

Mayor Tuzinski announced that the Families for Forty Fort Park will hold an Easter Egg Hunt at the Betty Mascelli Park on Wyoming Ave on Sunday, March 20, 2016 from 2 – 4 PM. Volunteers are welcome.

The newly renovated Police Station will be dedicated the Robert E. Mack Police Station sometime this Spring. Officer Mack's family will be present for the dedication ceremony. Through the efforts of Chief Dan Hunsinger, Officer Mack's name has been approved for inclusion to the National Law Enforcement Officers Memorial in Washington, D.C. The name will be formally dedicated on May 13, 2016 at the 28th Annual Candlelight vigil during National Police Week.

Mayor Tuzinski had recently met with representatives from Mericle regarding their property on Welles St. and a problem with ponding in one of their parking areas. They are willing to pay for and do the work to connect the existing drain to a storm drain on Butler St. in exchange for the Borough waiving the pave cut fees.

Motion by Mr. Kamus to waive pave cut fees for Mericle in exchange for their performance of connection to a storm drain to eliminate a ponding problem on their property. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

BOROUGH MANAGER:

It was reported that the new recycling truck will be delivered to the Borough Building on Thursday, March 10, 2016 sometime in the morning. An e-mail will be sent around when a more specific time is set so that anyone may stop by to see the new truck.

Prices have been obtained from two different vendors for a new "Welcome to Forty Fort" sign. Council members were asked for advice on whether the two prices are for comparable products. Mr. Kamus suggested that we ask each vendor for a sample of each product that they have quoted for us.

BOROUGH ENGINEER REPORT:

Regarding the Sewer Rehabilitation Project, the project is substantially completed. Quad 3 has forwarded Mr. Rehab, Inc. / USDA Pay Requisition No. 13 to the Borough recommended for payment in the amount of \$155,355.56. The five percent retainage on the project remains to be invoiced. The Substantial Completion Certificate and punch list have been forwarded to Mr. Rehab, Inc. for execution.

Regarding the Paving work, Charles Garnett of USDA has informed Quad 3 Group via e-mail on Friday, March 4, 2016, that the USDA letter of concurrence and original executed contract documents were being sent out. Once the letter of concurrence is received, the contractor, American Asphalt, is to schedule a Preconstruction Meeting for the paving contract.

RESIDENTS AND TAXPAYERS COMMENTS AND PETITIONS:

Charles Holena, owner of Holena Construction, asked borough engineer, Rich Kresge if it was proper for an engineer to communicate directly with a sub-contractor on a job or directly with the contractor. Mr. Kresge stated that typically, the engineer's deal directly with the contractor, but in some cases, they will deal with the sub-contractor. Atty. Haley stated that since Mr. Holena has threatened legal action against the Borough for nonpayment of a change order on the Sewer Rehabilitation Project, he really should not be discussing the case with council or the engineer.

Joe Danoski, 1621 Wyoming Ave., Forty Fort, PA asked questions of council, the engineer and the attorney present from the Bonding Company, Stevens & Lee, regarding the legal notices that had been in the newspaper advertising the passing of Ordinances relating to the USDA Sewer Rehabilitation Loan and the extension of the ESSA Sewer bridge loan.

Council has received the draft of the Civil Service rules for the Forty Fort Fire Department from the Civil Service Commission for council's review. Copies have been disseminated to council members for their review and comments at the next work session.

GENERAL BUSINESS:

Motion by Mr. Kamus to pass Resolution #1 of 2016 for the Sewer Loan which will be taken out with USDA for the Sewer Rehabilitation Project. Second by Mr. Michaels. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to pass Resolution #2 of 2016 to enter into an agreement with PLGIT to enable to borough to accept credit card payments for parking permits and possibly parking tickets and pool passes. Second by Ms. Troy. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to pass Ordinance #1 of 2016 for the issuance of the bond for the loan with USDA for the Sewer Rehabilitation Project. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to pass Ordinance #2 of 2016 for the extension of the bridge loan with ESSA for the Sewer Rehabilitation Project. Second by Mr. Murray. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to accept Change Order number 11 for the Sewer Rehab Project. Second by Ms. Troy. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to accept Pay Request #13 for Mr. Rehab for the Sewer Rehab Project. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to accept Pay Request #1 for the Paving Loan for the Quad 3 Invoice. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to accept the proposal of the Luzerne Bank and move qualified borough funds over to Luzerne Bank as soon as possible. Second by Ms. Troy. All council was in favor of this motion. Motion passed.

Motion by Mr. Butchko to make a donation to the Kingston Forty Fort Little League in the amount of \$34.59 for the placement of two signs at the field. Second by Mr. Michaels. On the question: The total amount requested is \$165.00. With the mayor donating his monthly stipend check which is for \$130.41, the amount due from the borough is \$34.59. All council was in favor of this motion. Motion passed.

NEW BUSINESS AND OPEN DISCUSSION:

The Civil Service Commission recently pointed out that the terms of office in place for the three members of the commission are only staggered by one year when they need to be staggered by two years.

Motion by Mr. Michaels to change the terms of office for the Civil Service Commission to the following: Sarah Michaels – term of office up in 2018; Kathy Washko – term of office up in 2020; Robert Swaback – term of office up in 2022. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

EXECUTIVE SESSION:

At this time, 8:20 PM, council adjourned to Executive Session to discuss Police personnel issues and pending legal issues.

Council re-convened the meeting at 8:50 PM.

Motion by Ms. Troy to grant Brian Eovich an honorable discharge from the Borough's Police Department due to his work related permanent disability which affects his ability to continue in service, pursuant to Section 1190 (1) of the Borough Code. Second by Dominic Butchko. All council was in favor of this motion. Motion passed.

Motion by Ms. Troy to terminate Mr. Eovich's Heart & Lung benefits because of his injury is now permanent and he will receive a work related disability pension benefit. Second by Mr. Butchko. All council was in favor of this motion. Motion passed.

Motion by Mr. Michaels to hire Ian Byczek as a full time police officer. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

With there being no further business to discuss, a motion to adjourn was made by Mr. Michaels at 9:08 PM and seconded by Mr. Butchko.

The council work session will be held on Monday, March 21, 2016 at 7:00 PM and the next regular meeting will be on Monday, April 4, 2016 at 7:00 PM.

Respectfully submitted,

Bonnie Arnone
Manager