

FORTY FORT BOROUGH

COUNCIL MEETING

MAY 4, 2015

The May meeting of the Forty Fort Borough Council was held on Monday, May 4, 2015 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., Forty Fort, PA 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, Charles Rick Kamus, Frank Michaels & Karen Martinelli, via telephone. Joe Lyons was absent.

Also present were Mayor Andy Tuzinski, Solicitor Atty. Jack Haley, Rich Kresge, Mark Voyack & Carl Schimmel all from Quad 3 Group, Manager Barbara Fairchild & Secretary Bonnie Arnone.

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

GUESTS:

Sean Billins, a resident of Forty Fort, spoke with council about doing an internship with the Borough & Police Department which is a requirement for his Masters Degree in Criminal Justice. He shared his prior experience and credentials and stated that he would be willing to work with any and all departments where his experience may help.

Motion by Ms. Martinelli to offer a paid internship of \$1.00 salary to Sean Billens pending all security and insurance clearings can be granted. Second by Mrs. Craig. On the question: Atty. Haley suggested that the internship be paid at the minimal rate rather than be voluntary. All council was in favor of this motion. Motion passed.

CONSENT AGENDA FOR ADMINISTRATIVE ISSUES:

Motion by Mr. Michaels to accept the Consent Agenda for Administrative Issues. Second by Mrs. Craig. This agency includes the following:

- Motion to approve the minutes of the Regular Meeting held on April 6, 2015
- Motion to approve the minutes of the Special council meeting held on April 20, 2015
- Motion to approve the minutes of the Council work session held on April 20, 2015
- Motion to accept the Treasurer's Report
- Motion to pay all bills as presented
- Motion to accept the following department reports: Mayor/Police Dept., Forty Fort Fire Chief, Kingston Fire Chief, Code Enforcement Officer, WVSA minutes, Shade Tree Commission minutes, Safety Commission Minutes.
- Communications from: Jessica Ramagli – signage ordered for “Hearing Impaired Child” signs for installation at Owens & Murray St. Signs have been delivered & will be erected ASAP
- Luzerne Co. Recycling will hold an electronics recycling program
- FNCB proposal: interest rate increase, remote capture & courier services included

- WSCOG Sweeper usage; change in schedule due to repairs needed on sweeper. Borough will definitely have the sweeper on May 14th & 15th & hopefully another day. Concentration will be on Wyoming Ave., Murray & Dennison for the 5K run and Memorial Day parade.

REPORT OF DEPARTMENT HEADS:

CHIEF OF POLICE & MAYOR:

Mayor Tuzinski offered thanks for the quick response to the request for “Hearing Impaired Child” signs that were requested by the Ramagli Family. He also requested a brief Executive Session for personnel issues with the Police Department. He reported that a recent audit was done in the Police Department by the Center for Juvenile Justice in which the Police Department in which the Department was found to be in full compliance. He thanked the Police Department for their assistance with recent activities in town, such as the WV Children’s Assoc carnival and the Autism walk.

Mayor Tuzinski reported that through the generous donation of the Fallen Officers Organization and the Luzerne Foundation, the Police Department will receive a \$6,200.00 grant that will be used for the installation of a bullet proof door and window for the department. In addition, additional materials will be donated or sold at below cost amounts for the finalization of this particular project.

Mayor Tuzinski suggested that vendors that we deal with for anything related to the pool be asked for donations due to the repairs that need to be done on the pool in order for it to continue to operate. He also stated that he will organize the purchase of paint for the pool at \$33.20 per gallon which is much less than it sells for normally.

Mayor Tuzinski asked Atty. Haley about the legality of having a rental inspection done on a home that is currently under a sales agreement for purchase. Atty. Haley stated that if the deed is still in the name of the original owner and the occupant does not pay rent, they cannot legally do a rental inspection since it is not being rented.

Mayor Tuzinski also spoke about a home on 490 River St. which is currently for sale. The home has a septic system with only a sheet iron plate covering the pit. A neighbor claims that there is a foul odor emanating from this area. At this time, the current owner claims that he is in possession of a letter from Forty Fort Borough grandfathering his property in from being required to hook into the sewer system despite the fact that he is within the required distance from the sewers. He refuses to produce this document and a thorough examination of the prior years minutes show no such mention of an agreement of this type.

Motion by Mr. Kamus to appoint Quad3 Group as the Borough’s Sewer Enforcement Officer to inspect this property for any violations. Second by Mr. Michaels. On the question: Mark Voyack stated that he has a current license to perform these duties. All council was in favor of this motion. Motion passed.

Mayor Tuzinski stated that he took exception to a recent letter to the Editor that was published in the Citizens Voice recently. He stated that the article intimated that the borough was discriminatory in some areas. The writer of the letter was present, Dominick Butchko, who stated that that was not his

intention. He stated that while this council may not be guilty of discrimination, he would like to see an anti-discrimination policy in effect for protection in the future as well.

Chief Hunsinger thanked both the Paid Fire Fighters and the Volunteer Fire Fighters for allowing him a full page article on Code Red in their recent newsletter which was sent to all residents in the borough. He stated that as a result, many others have now signed up for Code Red.

An invitation has been received from the Columbia Hose Co. in Kingston for a Memorial Day Ceremony to honor past & present military servants to be held on May 24, 2015.

REPORT OF BOROUGH MANAGER:

Ms. Fairchild stated that her complete report had been sent to all council prior to the meeting. In addition, she stated that the sign for the Dennison House was found to be knocked down and very faded. She has contacted local representatives & senators to get guidance on who may be able to help with the replacement of this sign. She is currently awaiting word from PENDOT to see if they will pay for the cost of a new sign for this historical house.

Ms. Fairchild stated that she has received an estimate from Bruce Daduka for the necessary repairs to the pool which will be in the amount of \$4,200.00 to \$4,900.00. This is in addition to some smaller repairs that can be made by our street department with materials donated by Mayor Tuzinski.

Motion by Mr. Michaels to hire Bruce Dadurka for pool repairs not to exceed \$4,900.00. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Ms. Fairchild stated that there are 3 cameras in the park that are not working. Since they are no longer under warranty, an estimated cost of \$527.50 has been received from Ron D'Elisio for the repairs to same. It was suggested that the cameras be protected in some way from vandalism and also to check with other vendors for costs of a new system. Ms. Fairchild stated that she had just received word that the cost for these repairs has been paid for through a donation.

Ms. Fairchild stated that she has presented each council person with an actual vs. budget report and asked that if after review, please e-mail her with any questions.

REPORT OF BOROUGH ENGINEER'S:

A lengthy discussion took place regarding the paving project through a loan from UDDA for 1.2 million dollars. In the original proposals, all streets were to be done with Full Depth Reclamation (FDR). When doing the bid specs, the engineer's added the option for a Recycling Process (RP) to save on costs.

Mr. Kamus stated that he would like to see the elimination of Colonial Gardens (Cost: \$147,438.00 FDR/\$85,081.20 RP) and Center St. from Walnut to Ransom St. (107,762.40 FDR/\$64,491.60 RP), from the project and add into the project the paving of Center St., where Center meets Fort St. (\$147,438.00 FDR/ \$85,081.20 RP) and Wesley St. (\$34,765.58 FDR/ \$29,644.08 RP). Ms. Fairchild stated that this was not allowed by USDA. Mr. Kamus stated that USDA should not dictate to us what roads we want done and that another funding source should be sought. Ms. Fairchild explained that this project has been in the process for over 3 years with much time, work & money

invested in it. We are at the point where the engineer's have the bid spec's ready to go out bid and it is not the time to be making these changes. Mr. Kamus stated that he had asked Ms. Fairchild for these options several months ago and she had not given him an answer as to if it could be done or not. Ms. Fairchild stated that she had answered Mr. Kamus with the same answer as she has given today.

Accepting the fact that no other roads could be added to the project, Mr. Kamus asked that Colonial Garden's, Center St., from Walnut to Ransom Sts. and Fort St., be removed from the project and have the utility companies who have recently done work on those roads perform the restoration at their cost. The utility companies, PAWC and UGI, will not do a FDR or RP, but a Mill and Overlay which is only 1 ½ top curb to curb. While the engineer's agree that this may be fine for Colonial Gardens and that portion of Center St., due to the heavy traffic on Fort St., this is not a desirable type of restoration for this road.

Mr. Voyack and Mr. Kresge of Quad 3 Group stated that while doing the sewer work on River St., the contractor has encountered unstable trench material which caused the PENDOT inspector to make the contractor use global backfill which is very costly. They cut the trench wider but the sewer line does not go in a straight line. The engineer's recommend issuing a stop work order for the sewer work on River St. to give them time to inspect all the contractor's reports.

Motion by Mr. Michaels to issue a stop work order for Ed Krasavsage, doing the sewer line work on River St., immediately. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Ms. Fairchild asked the engineer's about the progress of the Flood Mitigation Grant. Mr. Kresge stated that he is in the process of obtaining better maps of the area as the maps he has now do not give good enough information. Ms. Fairchild stated that she would like to have the grant submitted by the end of May 2015.

When asked about the signalization project for Welles/Slocum/Wyoming Ave., she stated that the grant received for this project states nothing can commence until after July 1, 2015.

RESIDENTS:

Dave Repshas of Center St., thanked council for their work on getting the roads paved and understands the difficulties being encountered. He asked about fines the borough receives when citations or liens are issued for properties in violation of borough ordinances such as cleaning of the sidewalk, cutting of the grass, etc. He was told that while we do receive some money for these fines, often times, the liens or citations are forgiven because the homes are sold through sheriff's sale. Mr. Repshas also asked that the pot holes on the 5K Memorial Day run route be fixed prior to the run.

Robert Swaback, 15 Susquehanna Ave., Forty Fort, stated that they had received a resignation letter from Civil Service Commission member, Cheryl Sealock. He has spoken to alternate Anthony Smith who has agreed to replace Ms. Sealock on the commission.

Motion by Mr. Michaels to appoint Anthony Smith to fill the vacancy on the Civil Service Commission due to the resignation of member Cheryl Sealock. Second by Mrs. Craig. On the question:

Council will now need to seek an additional alternate for the commission. All council was in favor of this motion. Motion passed.

Mr. Swaback was given a copy of the Civil Service Rules for Police as revised by Chief Hunsinger & Atty. Haley. He was asked to present this to the commission and their attorney for review and get back to council with any changes they may want. Chief Hunsinger asked that before any other changes are made to the accepted rules, Atty. Haley be allowed to review them.

Ms. Fairchild stated that Dave Williams, the representative to the West Side Landfill board for Forty Fort had his term expire as of 12/31/14. He will be asked if he would be willing to continue in this capacity for another term.

CONSENT AGENDA FOR GENERAL BUSINESS:

Motion by Mr. Kamus to accept the Consent Agency for General Business. Second by Ms. Troy. All council was in favor of this motion. Motion passed. The items on this agenda are:

- Motion to adopt the Parking prohibited in certain areas Ordinance
- Motion to adopt the Handicap Parking Ordinance
- Motion to adopt the Hybrid Ordinance for NE Revenue to collect unpaid delinquent real estate, penalties and interest

GENERAL BUSINESS:

Arbor Day ceremonies were recently held at the home of Commission Member Kim Meckes where a tree was planted. Mayor Tuzinski read a Proclamation for the event.

NEW BUSINESS AND OPEN DISCUSSION:

We have currently received seven (7) applications for life guards for the upcoming pool season. We are still in need of at least three more guards. In order for the process to proceed promptly, the following motion was made:

Motion by Mrs. Craig to authorize Manager Barbara Fairchild hire life guards to begin the process of getting clearances, etc... Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Mr. McLaughlin, Mrs. Craig and Mr. Tuzinski have volunteered to conduct the income survey for the upcoming CDBG Grant.

Ms. Fairchild stated that WVSA had checked out the 3 properties on W. Pettebone St. where the road was sinking and found that it was the residents laterals that were having problems, they also determined after televising the main line, there is a large accumulation of grease in the main line. They will be working on addressing that problem.

EXECUTIVE SESSION:

At 10:45 PM, council adjourned to Executive Session to discuss personnel issues.

Council returned from Executive Session at 11:20 PM.

Motion by Mr. Kamus to hire John Bell as a part time police officer immediately providing he passes the physical and medical requirements. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to appoint Keith Keiper as part time police officer with the understanding that he will not work or participate in police functions unless council deems he is to be sent for a physical exam. Second by Ms. Troy. All council was in favor of this motion. Motion passed.

With there being no further business to discuss, motion by Mrs. Craig to adjourn at 11:25 PM. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Council will meet for a special meeting on Monday, May 18, 2015 which will be immediately followed by the May work session.

Respectfully submitted,

Bonnie Arnone
Secretary