

FORTY FORT BOROUGH
NOVEMBER COUNCIL MEETING
NOVEMBER 11, 2013

The November meeting of the Forty Fort Borough council was held on Monday, November 11, 2013 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., Forty Fort, with President Joseph Chacke presiding.

President Chacke called the meeting to order at 7:30 PM with the following council members present: Dorothy Craig, Robert Craig, Charles Rick Kamus, Frank Michaels & Karen Martinelli, via telephone. Betty Mascelli was excused due to illness. Mayor Hoats was also absent.

Also present were Atty. Sam Falcone, Manager Barbara Fairchild, Chief Dan Hunsinger & Bonnie Arnone, Secretary.

Prayer was given by Rev. Lukish followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Ms. Martinelli to approve the minutes of the October 7, 2013 council meeting. Second by Mrs. Craig. Roll call showed all council in favor of this motion. Motion passed.

Motion by Mr. Craig to approve the minutes of the October 21, 2013 council work session. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

CORRESPONDENCE:

A letter from Dr. Gail Gayeski, 98 River St., was read in which she states that a damaged PAWC pave cut is causing extreme shaking to her home when trucks hit it. PAWC will be back at some point to repair the cut.

A letter from Rosenn, Jenkins & Greenwald law firm regarding a business at 93 Bedford St. that has dissolved asking for any municipal claims against the property/business.

A letter from Dottie Yurkowski, 3 Englewood Terrace, requesting reimbursement for the removal of a dead tree on her tree lawn. Another request for reimbursement has also been received from Jerry Zelinski, 268 River St. Both these property owners received approval from the shade tree commission for the removal. Council discussed the fact that the ordinance states that residents who receive approval for removal may request reimbursement up to \$250.00 providing the funds are available in the Shade Tree Commission budget. Since the Shade Tree Commission bank account has approx. \$490.00 in it, the following motion was made:

Motion by Mr. Craig to reimburse \$245.00 to Dottie Yurkowski and \$245.00 to Jerry Zelinski. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

A letter from Shirley Zolner of 1921 Englewood Terrace was read in which she requests reimbursement of \$250.00 for a bill from Roto Rooter for work necessary on her sewer line due to a blockage in the main line, which was later cleared by WVSA.

Motion by Mr. Craig to reimburse Shirley Zolner, 1921 Englewood Terrace, \$250.00 for a Roto Rooter bill necessitated by a blockage in the main sewer line. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

A letter from Families for Forty Fort Park was read in which they request permission to use the Forty Fort Park for Santa in the Park on Saturday, Dec. 14, 2013 from 1-3 PM with rain date Sunday, Dec. 15, 2013 from 1-3 PM.

Motion by Mr. Craig to allow Families for Forty Fort Park use the park for their Santa in the Park on Saturday, 12/14/13 from 1-3 PM (rain date Sun., 12/15/13 from 1-3PM). Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

A letter from Karen Martinelli was received in which she states that it is the responsibility of the borough's code enforcement office to have copies of any 3rd party inspection agencies reports regarding her property.

A request from the Forty Fort Business Association for a donation toward the holiday lighting program.

Motion by Mr. Michaels to donate \$100.00 the Forty Fort Business Assoc. for holiday lighting. Second by Mr. Craig. All council was in favor of this motion.

A luncheon at the Westmoreland Club sponsored by North Land Branch where they will discuss Land Conservation was announced for anyone interested in attending.

A luncheon sponsored by the PA Economy League was announced for 12/6/13 from 12:00 noon to 1:30 PM at a cost of \$15.00 per person. Ms. Fairchild stated that she would like to attend this lunch.

Motion by Mr. Craig to pay the \$15.00 fee for Manager, Barbara Fairchild, to attend the PA Economy League luncheon. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

A situation occurred recently at 1390 Wyoming Ave., in which a large tree on the tree lawn fell onto the roadway, damaging several cars & causing injury to at least one person. The position of whom owns & who is responsible for trees on the tree lawn was discussed with Atty. Falcone, who stated that it has never been clearly defined in any ordinance. Ms. Fairchild was instructed to turn the bill received from Tom's Tree Service in the amount of \$600.00 over to our Insurance carrier for payment.

Ms. Fairchild announced that she has received word from USDA that the loan for the Street Paving Project has been approved.

Motion by Mr. Michaels to allow Ms. Fairchild give permission to Quad 3 Group to begin design work for this project pursuant to the USDA approval of same. Second by Mrs. Craig. All council was in favor of this motion.

Motion by Mr. Craig to accept the Treasurer's report for October 31, 2013 as presented. Second by Ms. Martinelli. On the question: Mr. Chacke asked Ms. Fairchild why the balance in the Tax Acct. was so high. She explained that withdrawals were being made from that acct. for the payoff of the TAN and Debt Anticipation loans. All council was in favor of this motion. Motion passed.

Motion by Mr. Craig to accept in toto the following reports: Mayor/Police Dept., Forty Fort Volunteer Fire Chief, Kingston Fire Chief, Code Enforcement Officer and WVSA meeting minutes. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed. Mr. Chacke commended the Police Dept. on all the work done despite the challenges encountered over the last month.

Motion by Mr. Kamus to issue a notice of award and to proceed to Mr. Rehab for the Sewer Rehabilitation project. Second by Mr. Michaels. On the question: It was noted that Mr. Rehab was the low bidder for the project and that if approved, they would like to begin work on Tuesday, 11/12/13. Mr. Chacke asked that a notice be placed in the paper for this work start. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to purchase Code Red at a cost of \$5,010.00 for a 3 year contract. Second by Mr. Michaels. On the question: Mr. Craig asked how the budget was looking if we had the funds for this expense. Chief Hunsinger explained that this would not be ordered until 2014; \$5,010.00 was the cost for the first year and thereafter, if the borough does not have the funds or the need for the service, the contract can be broken. The system will allow mass messages of importance to be sent via e-mail, text, social media outlets, etc. to all residents & businesses immediately when necessary. All council was in favor of this motion. Motion passed.

A proposal from Ron Jeffrey was read outlining the charges he would have for producing & sending the borough's sewer bills out beginning in 2014. Residents would have the option of paying once a year or quarterly, with the mailing being sent once with quarterly payment stubs for the property owners to use. This will result in a saving of approx. \$3,000.00 per year for the borough over using Berkheimer Agency.

Motion by Mr. Craig to revise the sewer ordinance and to accept the proposal from Ron Jeffrey appointing him as sewer collector beginning in Jan. 2014 and immediately ending our contract with Berkheimer Agency, the current collector. Second by Ms. Martinelli. On the question: Mr. Chacke questioned how much notice Berkheimer required to end the contract. Ms. Fairchild was unable to answer the question, but will look into it. All council, with the exception of Mr. Chacke who voted NO was in favor of this motion. Motion passed 5-1.

Motion by Mr. Craig to allow Ron Jeffrey to take Delinquent Sewer & Recycling collections to the Magistrate/\$30,000.00 approximately 50 residents with old balances for prior years; for 2011 & 2012, approximately 35 residents for a collection of \$9,000.00. Mr. Jeffrey would charge \$10.00 fee based on dollar amount. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Craig to pass Resolution #19 of 2013 which would accept the proposal from Creditech for delinquent sewer collections for the year 2012 & 2013. Second by Ms. Martinelli. All council, with the exception of Mr. Kamus & Mr. Chacke, who both voted NO, was in favor of this motion. Motion passed 4-2. Mr. Chacke requested that it be noted that he knows of many municipalities who do not like the work of Creditech and that the % added to the delinquent bills is very high.

Motion by Mr. Craig to accept the contract for the Borough's Public Works Dept. for the years 2014 – 2017. Second by Mr. Kamus. On the question: It was noted that the department would continue to receive the first day of deer season off and also receive their requested full days off for Good Friday & day after Thanksgiving, in which they now only receive half days off. The contract also calls for a 3% raise on their wages. All council, with the exception of Mr. Chacke who voted NO, was in favor of this motion. Motion passed 5-1. Mr. Chacke requested that it be noted he is in favor of the contract but not in favor of the additional days given to the Public Works Dept. because of the unanticipated costs.

Motion by Mr. Craig to pay the 2013 Tax Anticipation Note of \$251,993.40 to Keystone Bank. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion by Mr. Craig to accept the first reading of the 2014 budget as presented. Second by Ms. Martinelli. On the question: The budget calls for no tax increase and calls for a \$4.00 per year increase in the sewer fees. All council, with the exception of Mr. Chacke who voted NO, was in favor of this motion. Motion passed 5-1. Mr. Chacke requested that it be noted that the 2014 budget has the opportunity to cut taxes by ¼ mills and to cut the sewer fee by \$25.00 annually.

OPEN DISCUSSION:

Motion by Mr. Craig to authorize Ms. Fairchild drafts a letter on behalf of Chris Ercolani, the Eagle Scout Candidate responsible for the new park sign, to continue the fulfillment of the requirements he needs for his Eagle Scout status. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

It was noted that due to the hospitalization of Mrs. Mascelli, the new park dedication, originally scheduled for October 2013, was postponed. Mrs. Mascelli will be brought to the park during the November 24, 2013 annual Santa Parade for the park dedication in her honor.

Ms. Fairchild told council that she will have resolutions ready for the December 2013 meeting for the Local Share Account Grant applications for Municipal repairs, which include work in the police dept. & administrative offices. She is awaiting estimates for this work.

She will also have a resolution ready for passage in December for the Local Share Account Grant Application for Municipal Sign Compliance. She noted that all borough street signs must be replaced with retro reflective signs. Mr. Chacke stated that he thought that this mandate had been cancelled due to the financial burden it will impose on communities. He stated that when a street sign needs to be replaced due to damage, etc., then it must be replaced with retro reflective.

RESIDENTS & TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Carol Seltzer of the Shade Tree Commission stated that 20 new trees will be planted through the borough on properties where the homeowner wishes to have them. She also stated that she was pleased with the stumps that had been removed by the borough street dept. She stated that a tree will be planted this Thursday in front of the Dana Elementary School.

Joe Danoski, 1621 Wyoming Ave., Forty Fort stated that he agreed with Mr. Chacke that there should be no raise in the sewer fees.

Mark Robbins, 99 Slocum St., distributed to council and read from his letter concerning an ongoing problem he is encountering with harassing mail. He alleges that Chief Hunsinger has not been cooperative in his attempts to file charges against the individual he feels is responsible for the harassment. Chief Hunsinger stated that Mr. Robbins had been advised that the evidence he produced was not sufficient for any charges to be filed by the police department. He was advised, however, that he was free to file charges on his own with the local magistrate.

Mr. Chacke stated that before the conversation went any further, he felt that council should discuss the allegation in Executive Session as it was dealing with a personnel matter.

At 9:15 PM, council adjourned to Executive Session to discuss personnel matters.

Council re-convened at 9:36 PM at which time Mr. Chacke advised Mr. Robbins that he was free to file a complaint with the Magistrate. Chief Hunsinger also stated that if Mr. Robbins could produce new evidence or information on the case, he would be willing to meet with him to further discuss the situation. Mr. Chacke also noted that during Executive Session, a personnel issue involving the Fire Dept. was also discussed.

PAYMENT OF BILLS:

Motion by Mr. Craig to pay all bills as presented to council. Second by Mr. Michaels. Roll call showed all council in favor of the motion with the following exception: Mr. Craig & Mrs. Craig abstained on the voting of line item 413.331, dealing with the payment of a bill for the Code Enforcement Officer, Thomas Craig, only. Motion passed.

Motion by Mr. Kamus to adjourn the meeting at 9:38 PM. Second by Mr. Craig. All council was in favor of this motion. Motion passed.

It was noted that the work session would be held on Monday, November 18, 2013 at 7:30 PM in council chambers.

Respectfully submitted,

Bonnie Arnone
Secretary