

**Forty Fort Borough**  
**Council Meeting Minutes**  
**November 7, 2016**

**Call to Order**

The gavel strike of President of Council, Jeffrey McLaughlin, called tonight's meeting to order.

**Invocation and Pledge of Allegiance**

Reverend Lukish led those present in prayer and Mayor Andy Tuzinski led the Pledge of Allegiance.

**Roll Call**

President Jeffrey McLaughlin ordered Roll call. Members in attendance were: President, Jeffrey McLaughlin, Dominic Butchko, Deborah Troy, Amy Craig, Tom Murray, Rick Kamus and Frank Michaels. Borough Mayor, Andy Tuzinski, Chief of Police, Daniel Hunsinger, Borough Manager, Bonnie Arnone, Borough Secretary, Brandy Fuller, Borough Solicitor, Jack Haley and Borough Engineer Representative of Quad 3, Rich Kresge. Visitors numbered 15. A member of the press was not in attendance. President McLaughlin confirmed a quorum.

**Consent Agenda for Administrative Issues**

Matters listed within the Consent Agenda have been referred to members of the Borough council for reading and study, are considered to be routine and will be enacted by one motion of the Council. If separate discussion is desired, the item may be removed from the Consent Agenda by Council action. The resolutions listed below were submitted to the Borough Council for reviews and will be adopted by one motion.

1. Motion to approve the minutes of the regular council meeting of October 3, 2016
2. Motion to approve the minutes of the council work session of October 17, 2016
3. Motion to approve the minutes of the special meeting of council of November 4, 2016
4. Motion to approve the September 2016 Treasurer's report
5. Motion to pay all bills
6. Motion to accept the minutes or reports of:
  - A. Police Department report
  - B. Kingston Fire Department report
  - C. Forty Fort Fire Chief Report
  - D. Safety Committee meeting minutes

- E. Civil Service commission meeting minutes 10/3/2016
- F. Civil Service Commission meeting minutes 10/20/2016
- G. WVSA meeting minutes
- H. Managers time sheets – 10/12/2016 and 10/26/2016
- I. Code Enforcement Report
- J. Energy Analysis
- 7. Correspondence
  - A. Janet Beddini Claim – Letter from Selective Ins.
  - B. Fire Department Promotions
  - C. Key Energy Updates
  - D. Thank you card for firemen
  - E. DEP letter re: West Side Landfill
  - F. Beer Deli letter re: grant for business signs
  - G. Cohen Law letter re: recovery of Franchise Fees
  - H. WVSA MS4 Letter

Energy Analysis and Key Energy Updates were moved to General Business. Motion was made by Rick Kamus to accept the Consent Agenda. Seconded by Deborah Troy. All were in Favor. Motion Passed.

#### **Report of Chief of Police and Mayor**

The report from Chief Daniel Hunsinger is as follows:

Sergeant Adam Michaels attended a Tactical EMS COu4se at the York County Fire School in York, PA on October 12, 13, and 14<sup>th</sup>. The \$700 course fee and Hotel Registration was donated to our department by the Back Mountain Police Association. Sgt. Michaels is now a certified instructor and will be teaching other officers in how to use the tactical medical kits designed for self-care and care of others with traumatic injuries.

The only incidents reported to our department from Mischief Night this year were 2 vehicles sprayed with silly string.

West Side CTC Students assisted our department on Halloween Night. Students assisted by riding with officers handing out candy and by assisting trick or treaters in crossing the street at key locations in town.

Sergeant Adam Michaels, Officers Matthew Smith, Ian Byczek, Jeffrey Coslett, Michael Fuller, Cassy Kudzinowski and Tony Smith will be attending a free Civil Disturbance training program being offered by the State Police at the State Police Training Academy in Hershey PA. Officers have been scheduled to attend November 7<sup>th</sup> through November 9<sup>th</sup> and there will be no financial impact on the schedule.

The Mayor stated that he received a letter from Ed Kopec of Edward's Landscaping. He would like to build another Green House. In the past he never had to pay a fee for Land Development requirements, and is being told he has to do so now. The Mayor is requesting that council waive the Land Development Fee this one time for Mr. Kopec. A motion was made by Tom Murray to do so and seconded by Rick Kamus. All were in favor. Motion Passed.

Mayor Tuzinski also spoke of the new Pavilion that is being built in the Park. The Project cost is \$45,000. The contributing Organizations to date are:

Kingston Rotary \$5000

Rotary Foundation \$4000

Forty Fort Lions \$5000

Nesbitt Foundation \$10,000

Sordoni Foundation \$5,000

Families for Forty Fort Park \$1560

Forty Fort Businessman's Association \$1000

Coon Industries \$510

Mayor Tuzinski just wanted to say that this project is being built with no cost to taxpayers, but by the generosity of these people. There will be letters sent out to these businesses to thank them.

### **Manager's Report**

Borough Manager Bonnie Arnone stated that November 2016 has been a busy month getting the budget ready for review by council and beginning the process of submission for LSA Grants. We have been working with Quad 3 Group to formulate some ideas for two projects to apply for.

1. Rutter Ave. Gateway Project: This project will provide a newly paved roadway along with more narrow lanes to prevent large truck traffic. There will be tree lawns on either side of the street, from the intersection of Welles St. to Rover Street. There are many other esthetic details that can be seen in the cost estimate provided by Quad 3 Group.
2. River Street Curbing and Lighting Project: This project will provide curbing on River Street from Rutter Ave. To the beginning of the dike area on River St. Also, there will be boulevard lighting included in this project on both sides of the street.

In keeping with the recent Welles St. gateway Project beautification project, these two projects will continue this process with another heavily travelled gateway in to may west side communities.

Our budget for 2017 is tentatively set at \$2,436,452.00. There will be no increase in taxes for 2017. All departments were encouraged to give a wish list of sorts prior to budget preparation and this budget provides for the purchase of those needed items.

Mrs. Arnone will also be attending a DCNR Grant workshop on Wednesday, November 9, 2016 to hopefully gain knowledge for the submission of a grant for the funding needed to repair the Peal Street creek wall and other necessary work on Abraham's Creek.

## **Engineers Report**

### **Streetscape Project for Rutter Avenue**

Quad Three Group met with representatives from Forty Fort Borough to discuss the potential for a streetscape project for Rutter Avenue (a state highway), between the Cross Valley Expressway exit and River Street. A concept plan and cross section were also provided. The existing right-of-way is only 40' in width extending from back of existing sidewalk to back of existing sidewalk on the opposite side of the street, leaving little room for wide tree lawns on both sides of the street. However, since the center median option would be more objectionable to local residents because left turns out of their driveways would be prohibited, we advanced a cost estimate for the parallel tree lawns. The improvements would reduce the existing travel lane widths from approximately 15' to 12' in width and would require PennDOT acceptance. The project would also include: complete storm drainage system replacement (inlets, storm pipe, etc.), underground electric and telecommunications, new concrete sidewalk and curbing, decorative street lighting, and the placement of signage and additional landscaping if PennDOT land can be secured for further adjacent roadway enhancement to assist with creating more of a "gateway" to Forty Fort. Alternative options for the tree lawns were discussed, such as: providing plantings, or pavement infill with colored and/or textured concrete, brick pavers, etc. It was noted that the mapping Quad 3 had indicated this area as having "limited access". Therefore, it may be difficult to secure access to off road improvements for improvement and maintenance. This may also impact Mericle's intent to provide a secondary access to their property from Rutter Avenue. A copy of the cost estimate is included with this report.

### **River Street Curbing Project**

Quad Three Group met with representatives from Forty Fort Borough to discuss the potential for street improvement project for River Street (a State Highway), to install concrete curb and decorative street lighting between Rutter Avenue and approximately Fort Street. A construction cost estimate was prepared and submitted to the Borough for this work. A copy of this estimate is included with this report.

### **No Parking Zone Posting on River Street**

Quad Three Group had the correct southerly No Parking sign at the intersection of River and Rutter Street marked. This is the location approved by PennDOT for a posted 35 mph speed limit for this intersection. We understand the Borough has since posted 25 mph speed limit signs on the Borough owned portion of River Street. We believe it may be necessary to resubmit our Highway Occupancy Permit drawings if a revised No Parking sign location is requested based upon the lower 25 mph posted speed limit sign. We previously reported that PennDOT would likely require a traffic analysis be performed in accordance with their standards to post the proper speed limit. However, our traffic consultant has since advised that there is a new provision within PennDOT Publication 46 that he believes may permit the characterization of this section of road to meet local roadway criteria and exempting the Borough from having to perform the study as originally thought. Quad Three will secure the exact publication reference and forward to Forty Fort Borough to arrange a meeting with PennDOT representatives to determine the path forward (i.e. determine if a speed limit sturdy and H. O. P. revisions will even be necessary).

### **Paving Project Work**

The project is complete with the exception of completing closeout punch list items and the completion of East Turner Street, which was added to the project due to available remaining funds. Since our last meeting, Carl Schimmel and Rick Kamus further evaluated East Turner Street for enhanced grading and drainage improvements. The site was detail surveyed and grading and drainage plans were subsequently developed and forwarded to American Asphalt for their use in constructing the roadway improvements. American Asphalt representative Mr. Tony Rubino stated they intend to reconstruct East Turner Street the week of November 7 or November 14<sup>th</sup>. At this time, remaining punch list items are to be completed and the project will be closed out. This will include the missing property pin on Butler Street and the proper placement of the "No Parking" sign on River Street.

### **Wesley Street**

Wesley Street has been constructed, and an application for payment has been received from the Contractor in the amount of 90% of the contract amount. A substantial and final inspection remains to be schedule with representatives of the Borough, Quad 3 and the Contractor (Pennsy Supply, Inc.). This should be scheduled as soon as possible so the project can be closed out.

### **Multimodal Grant Project**

Work continues on the Alley improvement drawings. A concept plan for an added memorial was presented to representatives of Forty Fort Borough as part of the greater Borough Hall exterior improvements. Our traffic consultant has forwarded their electronic analysis to PennDOT for their review and consideration for narrowing the phasing options originally presented to them for signal improvements. Once they get better direction from PennDOT they can advance the final signal design. Our consultant has not yet received feedback from PennDOT District 4-0, however he has been requested to contact them in order to move the signal improvement project forward.

### **Residents and Taxpayers Comments and Petitions**

Tony Purro of County Waste spoke to council regarding his company collecting recycles in town. He was advised that the current ordinance excludes him from doing recycling in town, and he would have to advise his customers of such. Mr. Purro stated that he would and will collect all recycle bins that were given to the customers.

Meghan Reese Thomas of Wyoming Avenue voiced her concern regarding the business opening at 1142 Wyoming Ave, Sip and Silk. She wanted to know what was going on and if anything had been resolved. Mrs. Thomas was advised that citations had been issued and Bill Harvey is awaiting interpretation from Attorney Gill regarding the BYOB aspect of the business. This is ongoing and updates will be made in the future.

Rob Swabeck of 15 Susquehanna Ave stated that he was going to speak about the No Parking signs on River St., but his questions were answered by the engineers report and he thanked them.

Jerry Walsh of 1142 Wyoming Ave. co-owner with Sheri Cruz of Sip and Silk spoke regarding the business and the work that has been put in. He stated that they are more than willing to abide by any rules and regulations that the borough may ask of them.

## **General Business Consent Agenda**

1. Change order #1 for Wesley Street-to change start date
2. Change order #2 for Wesley street- to change the amount to \$140,000.00
3. Resolution #6 of 2016- LSA Grant for Police Cruiser
4. Change Order #5 for USDA Paving Project- for paving of Turner Street
5. Resolution #7 of 2016- LSA Grant for Rutter Ave. gateway Project – cost estimate for project
6. Resolution #8 of 2016- LSA Grant for River St. curbing and lighting project- cost estimate for project
7. Vote to advertise ordinance #4 of 2016- Tax Ordinance and Sewer Ordinance Amendment

Motion was made by Rick Kamus to approve the General Business Consent Agenda. Deborah Troy seconded. All were in favor. Motion passed.

## **General Business**

1. Adopt Proposed 2017 Budget (1<sup>st</sup> reading)

Motion was made by Rick Kamus to approve the Proposed 2017 Budget and seconded by Deborah Troy. All were in favor. Motion passed.

2. Hire Jonathan Mylott for part time work with DPW at \$10hr.

Motion was made by Frank Michaels to approve the hire of Jonathan Mylott for part time work with DPW, and was seconded by Rick Kamus. All were in favor. Motion passed.

3. Key Energy Updates
4. Energy Analysis
5. General Code

Motion was made by Jeffrey McLaughlin to approve General Code to provide codification, and was seconded by Tom Murray. All were in favor. Motion passed.

## **New Business and Open Discussion**

There was no new Business.

## **Executive Session**

Began at 9:45 PM and ended at 10:15 PM. Discussion entailed Robert Sgarlat request for disability retirement.

Council re-convened the meeting at 10:15.

Motion by Mr. Murray to accept the request of firefighter, Robert Sgarlat's request for a disability pension retro-active to his retirement date of 9/9/16. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

## **Adjournment**

Motion to adjourn by D. Butchko and seconded by R. Kamus at 10:45PM. All were in favor. The next meeting will be held on Monday November 21, 2016 at 7:00 PM.

Respectfully submitted,

Brandy Fuller

Secretary