

FORTY FORT BOROUGH
COUNCIL MEETING MINUTES

OCTOBER 1, 2012

The regular meeting of the Forty Fort Borough Council was held on Monday, October 1, 2012 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: Robert Craig, Dorothy Craig, Betty Mascelli, Charles Rick Kamus & Frank Michaels. Karen Martinelli & Mayor Boyd Hoats were absent.

Also present were Solicitor, Sam Falcone, Mike Lombardo of Quad 3 Group, Borough Manager, Barbara Fairchild, Police Chief Fred Lahovski & Secretary Bonnie Arnone.

Invocation was led by Reverend Lukish of the Forty Fort Methodist Church followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Mr. Craig to approve the minutes of the September 4, 2012 Council meeting. Second by Mr. Michaels.

Roll call showed the following:

YES: Mrs. Craig, Mr. Craig, Mr. Kamus, Mr. Michaels & Mr. Chacke

ABSTAIN: Mrs. Mascelli due to her absence from that meeting

Motion carried

Motion by Mrs. Craig to approve the minutes of the September 17, 2012 council work session. Second by Mr. Kamus. All council was in favor of this motion with the exception of Mr. Chacke, Mrs. Mascelli & Mr. Kamus due to their absence at this meeting.

Motion carried.

COMMUNICATIONS:

A letter in response to our communication from Popple Construction. They agree to replace the pro-ring in one manhole but object to replacing the other ones as requested by council. They also request reimbursement for the additional paving & loop work on Welles St. They stated that in the event a solution cannot be reached, the matter should go to arbitration. Atty. Falcone suggested that he speak with Popple's attorney to see if the matter can be resolved as arbitration is very costly.

The audit report has been received for the Wyoming Valley Sanitary Authority and is available for review.

The Recreation Assoc. of Forty Fort will be hosting a Halloween Party in the Forty Fort Park on Wednesday, October 31, 2012 from 5:00 – 7:00 PM. Free food & treats will be available.

Response from PENDOT regarding the movement of the Tree City USA signage on Wyoming Ave. north of Dennison Ave. was read. They advise to keep the signs where they are now as there is limited space to place them elsewhere.

A letter from Mr. Steve Simko was read in which he urges Forty Fort Borough to send a letter to the Luzerne County Zoning Board in objection of the proposed UGI Compressor Station in West Wyoming. No motion was made to write this letter.

RESIDENTS AND TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS ONLY:

Rebecca Zavada, 92 Bedford St., Forty Fort again asked council to place "No Parking" signs on the north side of Dana St. across from the Dana St. School for safety reasons. Chief Lahovski reported that after investigation, he has provided council with four possible solutions to the matter. Temporary signs will be placed on this section of Dana St. beginning tomorrow morning and the parking ordinance will be investigated to see what amendments may be required.

Cara Devine Homza, 34 Center St., Forty Fort stated her displeasure with the fact that she was subpoenaed for a magistrates court hearing for which she was forced to take time off of work. Due to the fact that Chief Lahovski failed to appear in court on time, the matter was dismissed by Judge Barilla.

Carol Seltzer, Oak St., asked again what was being done about the damaged tree on Pearl St. She was told that the insurance submission was pending.

TREASURER'S REPORT:

Motion by Mr. Michaels to accept the Treasurer's report as presented. Second by Mr. Kamus. All council was in favor of this motion. Motion carried.

ENGINEER'S REPORT:

Mike Lombardo of Quad 3 Group reported that they were still conducting the televising of the sewer lines after which they will prepare a complete report for council. They have concluded their survey of the borough streets and will be presenting council with that report in the near future.

GENERAL BUSINESS:

Motion by Mr. Michaels to accept the reports of the following departments: Code Enforcement, Forty Fort Volunteer Fire Dept., Kingston Fire Dept., WVSA representative and Police Chief. Second by Mr. Craig.

On the question: Discussion about an item on the Code Enforcement report in which Mericle is requesting a special exception to the Forty Fort Zoning Board to allow for a LED light on top of the "Welcome to Forty Fort" sign currently in place at the intersection of Welles St. & Rutter Ave. Due to the fact that this intersection has no traffic signals except stop signs, council feels that this can possible create a distraction to drivers.

Motion by Mr. Craig to have President Chacke solicit thoughts & comments on this topic from council members via e-mail, submit them to Dorothy Craig and appoint Mrs. Craig as spokesperson to attend the Zoning Board Hearing on Wednesday, October 3, 2012 on behalf of council. Second by Mr. Michaels. Atty. Falcone cautioned council to speak carefully about their thoughts at this meeting. All council was in favor of this motion. Motion carried.

At this point, all council were questioned about the original motion to accept the reports to which all council was in favor of. Motion carried.

Sealed bids were open for the sale of the 1998 Chevy Dump Truck. They were as follows: Frank Slymock - \$2,050.00; Sulley Motors - \$1,380.00; Charles Angelo - \$4,260.00; Tom's Tree Service- \$2,557.50; Voyton Contractors - \$2,000.00.

Motion by Mr. Craig to award the sale of the truck to Charles Angelo with the high bid of \$4,260.00. Second by Mr. Kamus. All council was in favor of this motion. Motion carried.

Sealed bids for the sale of the 2004 Ford Crown Victoria were opened. They were as follows: Voyton Contractors - \$800.00; Bayridge Motors - \$810.00

Motion by Mr. Craig to award the sale of the vehicle to Bayridge Motors with the high bid of \$810.00. Second by Mrs. Mascelli. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to hire Terry Paul as a crossing guard for the intersection of Wyoming Ave., Slocum & Welles St. at a rate of \$9.00 per hour. Second by Mr. Michaels. It was noted that Mr. Paul has been working temporarily in this position since the beginning of this school year and that his clearances have been received. All council was in favor of this motion. Motion carried.

Motion by Mr. Michaels to adopt the Grant Anticipation Note Ordinance in the amount of \$228,000.00. Second by Mr. Kamus. All council was in favor of this motion. Motion carried.

Motion by Mr. Michaels to ratify the MMO's for Police, Fire & Non-Uniform Pension funds by Resolution. Second by Mrs. Craig.

On the question: The amounts are as follows: Non-Uniform-\$5,885.94; Police-\$160,682.43; Fire-\$63,334.20.

All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to pay off the two boiler loans in the total amount of \$17,998.65. Second by Mrs. Craig. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to reinstate the salaries of council and Mayor Hoats beginning in October 2012. Second by Mrs. Craig. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to authorize Council President, Vice-President and Borough Manager to submit all documents of the USDA application for sanitary sewer rehabilitation project. Second by Mrs. Craig. All council was in favor of this motion. Motion carried.

A discussion was held regarding the possibility of having Berkheimer collect the LST taxes or soliciting collectors for it. Currently it is being collected by Ron Jeffery, tax collector, but he does not have the ability to investigate delinquent accounts. Council decided to continue to have Mr. Jeffery collect the LST taxes and Ms. Fairchild will request a delinquent list from Berkehimer for his use.

Motion by Mr. Michaels to have Berkheimer's collection co, Credittech, bill Forty Fort Sewer Fees & delinquent billing at 2.05% + postage. Second by Mr. Craig. The 3rd & 4th qtr. Sewer billing for 2012 will be sent together. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to have a diseased tree in the Forty Fort Park removed to avoid injury to anyone as the tree is termite infested and in danger of falling. Second by Mr. Craig. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to have the floor outside of the code enforcement office repaired by Joe Guitierrez at an approx. cost of \$300.00 and no more than \$1,500.00. Second by Mrs. Mascelli. On the question: It was noted that the damage to the floor was done by a leak in the soda machine that previously was located there. The contractor stated that the cost should only be approx. \$300.00 unless once ripped up, more structural damage is found. Mr. Kamus stated that if this is the case, the job could go as high as \$1,200.00 - \$1,300.00.

All council was in favor of this motion.

Motion carried

Motion by Mr. Michaels to have a telephone maintenance contract with Frontier for the Borough Building phone system. The cost per year will be \$804.00. Second by Mr. Craig.

All council was in favor of this motion.

Motion carried.

Ms. Fairchild asked council for permission to allow tax collector, Ron Jeffery, to mail out 2nd notice tax bills at a cost of approx. \$70.00 - \$100.00. This can possibly garner \$52,000.00 in tax revenue. All council was agreeable to this action.

PAYMENT OF BILLS:

Motion by Mr. Kamus to pay the bills as presented. Second by Mr. Craig.

All council was in favor of this motion.

Motion carried.

EXECUTIVE SESSION:

Council adjourned to Executive Session to discuss Personnel matters at 8:50 PM.

Council re-convened from Executive Session at 9:33 PM.

MOTIONS RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION:

Motion by Mr. Craig to adopt A resolution of the Borough of Forty Fort, Luzerne County, PA, adopting written procedures in how professional services are chosen for its pension plans in order to comply with Act 44 of 2009 and the Auditor General's Recommendation. Second by Mr. Michaels.

All council was in favor of this motion.

Motion carried.

ADJOURNMENT:

Motion by Mr. Craig to adjourn at 9:35 PM. Second by Mr. Kamus.

All council was in favor of this motion.

Motion carried.

Respectfully submitted,

Bonnie Arnone
Secretary

