

Forty Fort Borough Council Meeting Minutes October 3, 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 in Prayer, followed by 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 Engineer, Mark Voyack Representative of Quad 3. Visitors numbered 27. A member of the press from the Times Leader was in attendance. President McLaughlin confirmed a quorum.

Consent Agenda

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 review and will be adopted by one motion.

Motion made by Rick Kamus to enact the following Consent Agenda:

1. Motion to approve the minutes of the Regular meeting held on September 6, 2016
2. Motion to approve the minutes of the special council meeting held on September 19, 2016
3. Motion to approve the minutes of the work session held on September 19, 2016
4. Motion to accept the August 2016 Treasurer's report
5. Motion to pay all bills
6. Motion to accept the following minutes or reports of:
 - A. Mayor/Police Dept.
 - B. Kingston Fire Chief
 - C. Civil Service Commission

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- D. Manager Time Sheets for 9.14.2016 and 9.28.16
- E. Code Enforcement Report
- F. Electric savings report
- G. Shade Tree meeting minutes
- H. Forty Fort Fire Report for August and September
- I. WVSA meeting minutes
- J. 2015 Draft Audit report
- K. Safety Committee meeting minutes 9.19.16

Motion was seconded by Frank Michaels. President McLaughlin asked Council if anyone would like any of the items removed for discussion from the Consent Agenda. No Council Member asked for any items to be removed from the Agenda. All were in favor. Motion passed without dissention.

Report of Chief of Police and Mayor

David Sieminski was voted onto the Civil Service Commission Board. A motion from Rick Kamus was made and seconded by Deborah Troy. All were in favor. Motion passed.

The Chief asked PennDOT to do a Traffic study on Dennison Street at the Intersection of Murray and Englewood Terrace for a stop sign. PennDOT determined that a stop sign was not needed. That the residents in that area need to remove the vegetation in that area, because it has become a traffic safety hazard.

The Mayor stated that Pedestrian Signs are mandated for River Street, and would like Council to consider in the budget additional or new signage for Butler and River Street, Oneida and Cayuga Street, River and Fort Street, Butler and River Street, and Cayuga and River Street.

Christie Wilson with Families for Forty Fort Park, wanted to make council aware of what was going on with the new Pavilion in the park. In cooperation with Kingston Rotary, Forty Fort Lions, Nesbit foundation we have raised \$24,000 towards the new pavilion. The total is around \$31,000. We are hoping for approval of this project and waving of permits from the council. The pavilion will be built behind the maintenance building.

Dominick Butchko made a motion to wave the permit fees for the Pavilion. Rick Kamus seconded the motion. All were in favor. Motion passed.

The Mayor Thanked President Jeffrey McLaughlin and the Street Department for getting the street signs up on River Street.

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The Mayor also reiterated with the LSA Grant he would like to get vegetative Screening by the park. He also agrees with the Land Lord tenant ordinance.

The Mayor then also asked to adopt to motions in the Promotion of two Officers.

A motion by Rick Kamus was made to appoint William F Stone Jr. to Assistant Chief. Of the Forty Fort Police Department. Frank Michaels seconded the motion. All were in favor. Motion passed.

A motion by Deborah Troy was made to appoint Adam F Michaels to Sergeant of the Forty Fort Police Department. Tom Murray seconded the motion. All were in favor. Motion passed.

Managers' Report

On Tuesday, September 27th, I, Bonnie Arnone, was present for the interviews for the Kingston Deputy Fire Chief position for the Kingston/Forty Fort Fire Department. Eight candidates were interviewed by Mayor Haggerty and Chief Guido.

On Wednesday, September 28th, Jeff and I were present for the interview of the number one candidate on their civil service list for the position left vacant due to the retirement of Robert Sgarlat. Ultimately Mr. Stull was hired for this position which will be funded by Forty Fort Borough. His first year will be 80% of his salary.

On Thursday evening, September 29th, I attended the meeting at the Kingston Borough building concerning the West Side Landfill. DEP has found some violations that need to be addressed as soon as possible. It was found that the Landfill Authority had expired in 2013; however, there is a five year window that the authority can be revitalized. The plan is to have all 12 member communities re-establish the authority and utilize a \$55,000.00 grant from DCED that will be used to conduct an environmental study of the landfill property. The ultimate goal will be to re-habilitate the property and selling it.

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Report of Borough Engineer's

Streetscape Project for Rutter Avenue

Quad Three Group evaluated the potential for a streetscape project for Rutter Avenue (a state highway), between the Cross Valley Expressway exit and River Street. It appears that the existing right-of-way is only 40' in width, extending from the back of the existing sidewalk to the back of the existing sidewalk on the opposite side of the street. This leaves little room for streetscape enhancement. However, we believe it may be possible to create a 6'- wide decorative median, or two 3'- wide tree lawns on either side of the street. This would reduce the existing travel lane widths from approximately 15' to 12' in width and would certainly require PennDOT acceptance. Note, the tree lawns and the center median could be planted, or paved with colored and or textured concrete, brick pavers, etc. We would also suggest decorative lighting be incorporated. There is also a large portion of property (under the ownership of PennDOT) that could be utilized for further adjacent roadway enhancement to assist with creating a form of "Gateway" to Forty Fort. Note however that the mapping we have indicates this area as having "limited access". Therefore, it may be difficult to secure access to this area for improvement and maintenance – assuming PennDOT is even willing to allow us to acquire or utilize this property. Please refer to the attached overall area site plan illustrating the properties to this vicinity and the attached roadway cross sections we prepared to illustrate the existing and possible Rutter Avenue Improvement alternatives.

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 will 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 caution that notifying PennDOT to the posting of new speed limit signs will likely open the borough to scrutiny by PennDOT. Although it is a grey area, posting of speed limit signs technically requires that an engineering study be performed in accordance with PADOT guidelines. This typically involves monitoring traffic speeds, among other considerations, and posting the speed limit at roughly 80% of the determined speed.

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Sanitary Sewer Rehabilitation Project

No change in status. We are still awaiting correspondence from PennDOT, acknowledging that the project is complete in order to allow the Borough to reduce their letter of credit. American Asphalt had followed up with PennDOT to obtain a sign-off on the paving work on River Street, however PennDOT has not issued the needed documentation. Once this document is obtained we can close out the project. Mr. Rehab, Inc. has submitted final close-out documentation, including a maintenance bond and a waiver of mechanics lien. Quad Three has discussed this further with Jack Haley for his review and it is believed that the maintenance bond and release obtained from Mr. Rehab are probably as much protection the Borough can expect to secure. Quad 3 will discuss with getting PennDOT to issue the release letter of credit.

Paving Project Work

The project is complete with the exception of closeout punch list items and the executing of a change order to complete East Turner Street with funds remaining from the project. A substantial completion inspection was held on Monday August 29, 2016 with representatives from Forty Fort Borough (Rick Kamus and Jeff McLaughlin), USDA (Charles Garnett), Contractor (Bernie Banks), and Quad Three Group Inc. (Carl Schimmel and David Short) in attendance. A list of closeout items requiring completion was developed (see attached list). Additionally, Charles Garnett stated that significant unexpended funds remained from the project that could be allocated to Borough Roads otherwise the funds would have to be returned to USDA. Bernie Banks (American Asphalt) was requested to update previous cost proposals of paving alternatives he previously submitted for East Turner Street. All three proposals were reviewed and found to be acceptable and reasonable for the work required. Note, we are still awaiting resolution to the discrepancy of PA American contributory money toward paving East Turner Street (approximately \$14,634.00 versus \$18,384.00) reported in American Asphalt's cost proposals. We have made several requests of American Asphalt regarding the water company's contribution amount and the status of the punch list items, but have not received a response.

Wesley Street

Quad Three prepared the contract documents which have been executed. A pre-construction meeting will be held on October 4, 2016 at Borough Hall at 2:00PM with Pennsy Supply.

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Multimodal Grant Project

PennDOT requested additional information from our traffic consultant conducted regarding the timing/phasing scenarios listed below and are still reviewing the options presented:

1. Existing Conditions- utilizing timings presented on the attached signal plan.
2. Protected/Permitted Advance left-turn phasing for both EB and WB Wyoming Avenue.
3. Protected only left-turns for EB and WB Wyoming Avenue approaches.
4. Split phasing for all 4 approaches
5. Protected only left turn phase for both approaches with the WB left turn approach set as a lagging phase.

Borough pool facility

Quad Three could assist with issuing bid documents in an effort to secure lower pricing for various municipal pool improvements, however we would first need to meet the Borough representatives to discuss the anticipated budget/project funding and to prioritize the improvements needed. Quad Three can then develop bidding documents based upon the Borough's guidance.

Ponding Areas on Ransom, Owen and Rutter

Please refer to the attached letter report prepared by Carl Schimmel for assessment and recommendation for improvements.

Paving and Drainage on East Turner and Wesley Street

Quad Three reviewed our survey drawings for East Turner and Wesley Street and can't discern any obvious ponding or drainage issues that will result from the upcoming paving projects. However, since portions of these streets are very level – similar to the areas of Ransom and Owen – where ponding has been recently observed following the recent paving project, it is likely that any areas that presently pond water on East Turner and or Wesley Street will likely do so following paving and perhaps to a greater extent since the paved surfaces will be much less pervious.

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Residents and Taxpayers Comments and Petitions

Brian Thomas of 1124 Wyoming Avenue voiced his concerns regarding the new Business opening, Sip and Silk. He would like to know if it's running as a commercial or home based business, and when that decision is made, he would like them to follow all rules under that title.

Emilio Talipan from 55 Butler Street stated that when the handicap sidewalks were put in American Asphalt pulled the survey pins out to his property and never put back. Mr. Talipan was advised that it would be looked into and we will try to get the pins put back in.

Patty Winton of 54 Filbert Street came to the meeting representing Hoyt Library. She was upset that we had not donated to the library in a few years. Patty was advised that we just had donated a few months ago.

General Consent Agenda

1. Adopt Ordinance #3 of 2016 – Abandoned Property Ordinance

A motion was made by Rick Kamus to adopt the Ordinance #3 of 2016 – Abandoned Property Ordinance. The motion was seconded by Frank Michaels. All were in favor. Motion passed.

General Business

New Business and Open Discussion

1. Pre-construction meeting on Tuesday, October 4, 2016 @ 2PM for Wesley St. paving project
2. Ideas for upcoming LSA Grant applications
 - Street Scape
 - Police Car
 - Gator Vehicle
 - Vegetative screening
3. Speed limit on upper end of River St. 25 MPH signs
4. Landlord tenant ordinance
5. Budget committee meeting: Tom Murray, Amy Craig, Frank Michaels First budget meeting
Thursday, Oct 6, 2016 @ 7:00PM
6. Request from Luzerne county Flood Protection Agency

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7. Correspondence regarding Army corp Creek Inspection
8. Quad 3 letter regarding Pave Project puddling problems

Executive Session

Motion to Adjourn was made by President Jeff McLaughlin to Executive Session at 9:00PM and seconded by Rick Kamus:

1. To discuss contract negotiations with Swoyersville Borough for Zoning services
2. Personnel issues for DPW department

Meeting was reconvened at 9:26PM

Motion to Adjourn

A motion was made by Deborah Troy to Adjourn at 9:35PM and seconded by Rick Kamus. All were in favor.

Next meeting will be a council work session on Monday, October 17, 2016 at 7:00PM

Respectfully Submitted,

Brandy Fuller

Secretary/Treasurer