

FORTY FORT BOROUGH  
COUNCIL MEETING MINUTES

SEPTEMBER 3, 2013

The September meeting of the Forty Fort Borough Council was held on Tuesday, September 3, 2013 at the Forty Fort Borough Bldg., 1271 Wyoming Ave., Forty Fort, PA with President, Joseph Chacke presiding.

President Chacke called the meeting to order at 7:30 PM with the following members of council present: Dorothy Craig, Robert Craig, Karen Martinelli (via telephone), Charles Rick Kamus & Betty Mascelli arriving at 7:45 PM. Frank Michaels was excused.

Also present were Atty. William Watts, Mayor Boyd Hoats, Chief Dan Hunsinger, Manager Barbara Fairchild and Secretary Bonnie Arnone.

Invocation by Reverend Lukish and pledge of the allegiance to the flag was led by Mayor Hoats.

APPROVAL OF MINUTES:

Motion by Ms. Martinelli to approve the minutes of the August 19, 2013 council meeting. Second by Mrs. Craig. Roll call vote showed all council in favor of this motion. Motion passed.

Motion by Mr. Craig to accept the minutes of the August 19, 2013 council work session. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

David Solomon of Municipal Recovery spoke with council about a document destruction program that they would like to offer to Forty Fort residents at no charge. Residents may take their personal documents for shredding to their location at 495 Stanton St., Wilkes-Barre, PA. He is offering to do this on a Saturday for about 2-4 hours where residents may view the actual shredding.

Motion by Mr. Craig to participate in the Document Shredding Program with Municipal Recover at a date & time to be decided. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

CORRESPONDENCE:

A letter from Dottie Martin of Murray St. requesting the borough's assistance in having the physical address of R. 1114 Murray St. changed to a Tripp St. address since the house faces Tripp St. Ms. Fairchild stated that she has spoke with the Post Office & is awaiting a call from the 9-1-1 center to discuss this matter.

Motion by Mr. Craig to coordinate with Emergency Management Agency (911) and the Postal Service to change the address of R. 1114 Murray St. to a Tripp St. address. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

A letter from PSAB announcing the Fall Leadership Conference from October 18 thru October 20, 2013.

A letter from Anita & Richard Brown stating that Mack St. is in bad shape and in need of repair. The Street Dept. has put stone in as a temporary repair.

Direct Energy, located in Forty Fort, has announced that they will be closing their facility. Ms. Fairchild is attempting to ascertain the ramifications this closing will have on Forty Fort's tax income.

A petition of assessment appeal has been filed for 17 Bidlack St., Forty Fort, PA. Atty. Falcone is investigating this matter on behalf of the borough.

A letter from Luzerne County Council announcing that they will be holding a seminar open to local communities to address the increase in crime in our area. This will be held on Wednesday, September 4, 2013.

A letter from PENDOT announcing that all bridges over 20 FT will have new, updated weight limits placed on them and new signs must be posted. The cost of these signs is an allowable liquid fuels expenditure.

A letter from Robert Swaback citing a lapse in code enforcement; demolition of a structure at the Hinchey property on Welles St.; fence being erected at the Mayor's home with no permit & failure to post a permit at a residence with work being done by Kamus Construction.

Ms. Fairchild stated that the demolition permit had been obtained by the company doing the demolition work at the Hinchey property. Mr. Kamus responded to Mr. Swaback that a permit had been obtained for the property he referred to in his letter. The permit had accidentally fallen from the window at the time Mr. Swaback observed it. The homeowner did comply by placing the permit in the window.

#### RESIDENTS & TAXPAYERS COMMENTS & PETITIONS REGARDING AGENDA ITEMS ONLY:

Joe Danoski, 1621 Wyoming Ave., Forty Fort, PA questioned council's decision to accept the bid from Mr. Rehab for the sewer restoration project and asked why some lines were only being slip lined and not completely replaced with new pipe. He was told that the borough engineer had thoroughly inspected the bids along with the company and felt confident of their work.

Robert Swaback, 15 Susquehanna Ave., Forty Fort, PA asked about the Delinquent Recycling fees. He was told that the recycling fees are now part of the property taxes.

#### TREASURER'S REPORT:

Motion by Mr. Craig to accept the treasurer's report of 8/31/13 as presented. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

#### GENERAL BUSINESS:

Motion by Mr. Craig to accept the following dept. reports: Mayor/Police Dept., Kingston Fire Chief & Code Enforcement Officer. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Craig to adopt Resolution #18 of 2013 authorizing small borrowing for capital purposes under section 8109 of the LGUDA to finance the costs of a police vehicles purchase for the local government. Second by Ms. Martinelli. On the question: The amount of this loan is \$40,534.23 at an interest rate of 1.99%. All council was in favor of this motion. Motion passed.

Motion by Mr. Craig to adopt Ordinance #5 of 2013 amending borough code chapter 15 (motor vehicles & traffic); part 4 (General Parking Regulations); 15-412 (penalties); prescribing penalties for initial parking violations and establishing the use of warning letters for the failure of violators to pay the full dollar amount of initial parking fine(s). Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to appoint and contract with BIU as the Borough's 3<sup>rd</sup> party building inspectors to do work only that cannot be completed by borough employees effective immediately. Second by Mrs. Mascelli. On the question: Ms. Martinelli asked what the term of the contract is. The current contract does not specify a length of time. All council was in favor of this motion. Motion passed.

Chris Ercolani, an Eagle Scout candidate from Forty Fort, approached council about the possibility of making a new sign for the Forty Fort Park as part of his process needed to attain the Eagle Scout Rank. If permitted, he will present information to council for approval of design before he prepares it. Mr. Craig offered a letter for his Scout Board review.

Motion by Mr. Craig to allow Chris Ercolani to replace the sign at the Forty Fort Park as a part of his Eagle Scout project. Second by Mrs. Craig. All council was in favor of this motion. Motion passed.

Motion by Mr. Kamus to accept the plans and spec's from the Engineer, Quad 3 Group, and the fee agreement for services for the Road Resurfacing Project. Second by Mr. Craig. On the question: This amount is \$78,240.00. All council was in favor of this motion. Motion carried.

Motion by Mr. Craig to accept the fee agreement for the Solicitor and the Bond Counsel for the Road Resurfacing Project. Second by Mr. Kamus. On the question: This amount is: Interim: \$5,000.00 fee plus \$500.00 for expenses excluding advertising costs which will be paid directly by the owner. Permanent: \$5,000.00 fee plus \$1,500.00 for expenses excluding advertising costs which will be payable at the respective closing of each loan. It was further noted that these fees are a requirement of the USDA grant. All council was in favor of this motion. Motion passed.

At this point, Joe Danoski of 1621 Wyoming Ave., Forty Fort, became unruly while insisting to speak out of turn. Police officers escorted him from the meeting. He was allowed to return once he was informed by the police that he must not cause any more disturbances.

#### OPEN DISCUSSIONS:

Ms. Fairchild told council that she has met with the engineers and our street department about the water problems on Elizabeth St. & Virginia Terrace, specifically in the area of concern near Phil

Mertz. The street dept. will install a speed hump which will divert the water runoff from the Koral Property until a more permanent solution can be reached.

Council was asked if they would like to pursue the delinquent recycle fees in one of the following manners: Have Ron Jeffery send another letter to those delinquents; take the delinquents to the magistrate or hire a private collection agency. Council instructed Ms. Fairchild to obtain fees for each method and report back to council.

Ms. Fairchild told council that Forty Fort Borough is celebrating its 18<sup>th</sup> year as a Tree City USA member. The shade tree commission received and installed new signs and flags.

Ms. Fairchild told council that Steven Stahl has become a Federal Agent qualified to speak about the new Health Care Law, commonly called Obama Care. He has offered to conduct a public information seminar at our borough building for residents to present their questions. He will not be soliciting any business only answering questions the public may have.

Motion by Mr. Craig to allow Steve Stahl to hold a public meeting in the Council Chambers at the Forty Fort Borough Building on October 9, 2013 at 6:30 PM to answer resident's questions about the new health care laws. Second by Ms. Martinelli. All council was in favor of this motion. Motion passed.

Ms. Fairchild explained to council that all payments made to the Forty Fort Volunteer Fire Dept. in payment of the stipend given to those volunteers who have submitted hours must now be paid through the payroll process. In view of the fact that their stipend is \$5.50 per hour, these individuals will be paid through payroll as an independent contractor and will receive a 10-99 Form at the end of 2013.

#### RESIDENTS & TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Joe Danoski, 1621 Wyoming Ave., Forty Fort questioned why the rate of delinquencies was so high. He also questioned why Alan Brezinski was hired as the zoning officer without all of the necessary qualifications and that Forty Fort Borough was paying for him to receive necessary qualifications.

Robert Swaback, 15 Susquehanna Ave., Forty Fort, PA responded to Mr. Kamus's explanation of why the permit was not visible in the property where he was performing work. Mr. Kamus responded that Mr. Swaback was working at a property at 1609 Wyoming Ave. without the proper permits.

Cheryl Dehaut, 398 River St., Forty Fort, Pa asked how she could find out what items will be on the agenda prior to the meeting in order to be prepared to question them at the meetings. She was told that she can contact Borough Manager Barbara Fairchild to see if the Agenda is ready for review. She also stated that in view of different religions, perhaps the choice of "Lord" & "Christ" in the Invocations at the beginning of each meeting are proper. She commended council for all they are trying to do.

Cliff Hoskins, 23 Center St., asked if there was any objection to his doing Metal Detecting on Public Property. He was told that there were no objections only that if he should dig any ground up, it should be replaced as he found it. He was told who to contact in order to gain permission to go onto the Soccer Fields.

At this point in time at 8:45 PM, Council adjourned to Executive Session to discuss personnel issues for part time police dept. & contract negotiations.

Council returned from executive session & re-convened the meeting at 9:17 PM. President Chacke noted that a personnel issue for the Fire Dept. was also discussed in Executive Session.

Motion by Mr. Craig to hire Michael Haley as part time police officer pending his interview, physical examination & background checks. Second by Mr. Kamus. All council was in favor of this motion. Motion passed.

Motion to adjourn at 9:20 PM by Mr. Craig. Second by Mrs. Mascelli. All council was in favor of this motion. Motion passed.

Respectfully Submitted,

Bonnie Arnone  
Secretary