

FORTY FORT BOROUGH
COUNCIL MEETING MINUTES

SEPTEMBER 4, 2012

The regular meeting of the Forty Fort Borough Council was held on Monday, September 4, 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 (via telephone), Dorothy Craig, Karen Martinelli, Charles Rick Kamus & Betty Mascelli.

Also present were Mayor Boyd Hoats, Atty. Samuel Falcone, 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 led by Mayor Hoats.

APPROVAL OF MINUTES:

Motion by Mrs. Craig to approve the minutes of the Regular Meeting held on August 6, 2012. Second by Mr. Michaels. Roll call showed the following:

YES: Ms. Craig, Mr. Craig, Mr. Chacke, Mr. Kamus, Mr. Michaels & Ms. Martinelli.

ABSTAIN: Mrs. Mascelli due to not having been at that meeting.

Vote: 6 Yes, 1 Abstention Motion carried.

Motion by Mr. Michaels to approve the minutes of the work session held on August 20, 2012. Second by Ms. Martinelli. All council was in favor of the motion. Motion carried.

Motion by Mr. Michaels to approve the minutes of the continued council meeting held on August 20, 2012. Second by Mrs. Craig. All council was in favor of this motion. Motion carried.

CORRESPONDENCE:

Ms. Fairchild read a letter from Tracy Chackan asking if her family could purchase a park bench for the Forty Fort Park in memory of a family member. Council stated that they have received similar requests in the past & had to decline. The placement of a memorial brick will be investigated as an alternative.

A letter from the County Recycling Dept. alerting municipalities that there will be a used tire drop off once again this year on Oct. 6 & Oct. 13, 2012.

A letter from Borton Lawson regarding the Welles St. Phase II project in which they make suggestions as to what should be done regarding the damaged manholes and the additional paving that was done on Welles St. Following a discussion, it was decided that council will seek bids for the repairs to the manholes and forward the bills to Popple Construction for reimbursement. In addition, it was

decided that the additional paving was done in error by Popple and there will be no additional payment from the borough for this paving.

Motion by Mrs. Mascelli to accept the recommendations of Borton Lawson & direct Popple to make repairs to the manhole on Holly Lane and repair pro-ring system on Welles & Butler St. at their expense. Second by Mrs. Craig. All council was in favor of this motion. Motion carried.

Letter from the Northeast Recycling Center stating that they will hold an open house on Sept. 19, 2012 from 11:00 AM to 2:00 PM with lunch served. Anyone on council wishing to attend should contact Ms. Fairchild.

There will be a public meeting with DCED regarding the share funding for the upcoming Gaming Grants funds on Sept. 24, 2012 at 11:00 AM at the Woodlands. Anyone wishing to attend should contact Ms. Fairchild.

RESIDENTS & TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Tom Engle, 10 Seneca Place, Forty Fort, told council about high hedges/trees on his next door neighbor's property that are extremely high & overgrown. This neighbor has been contacted by the borough code enforcement officer regarding a resolution to the matter, allowing her to only remove a few feet each year so as not to kill the hedges. Steve Nowroski, Zoning Officer, stated that he will investigate the matter further.

TREASURER'S REPORT:

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

GENERAL BUSINESS:

Motion by Ms. Martinelli to accept the reports from the following departments: Mayor/Police Dept., Kingston Fire Chief & Code Enforcement Officer. Second by Mr. Kamus. All council was in favor of this motion. Motion carried.

Motion by Mr. Michaels to adopt the Flood Plain Ordinance as presented. Second by Mrs. Craig. All council was in favor of this motion with the exception of Mr. Kamus who voted "NO". Motion carried 6-1.

Motion by Mrs. Craig to adopt the Storm Water Management Ordinance as presented with the following revision: Strike the last sentence in section 804A. Second by Mr. Michaels. All council was in favor of this motion with the exception of Mr. Kamus who voted "NO". Motion carried 6-1.

Motion by Mr. Craig to terminate a contract with Centax for Sewer Collection. Second by Mr. Michaels. All council was in favor of this motion. Motion carried.

Motion by Ms. Martinelli to hire the Berkheimer Agency as the new collector of the borough sewer fees with them honoring the contract the borough had with Centax and charging \$.85 per bill.

On the question, Mr. Michaels asked how situation would work with delinquent accounts and property owners whose fees had never been received or recorded by Centax. The motion was revised to add the following: A meeting will be requested with Berkheimer Assoc. and it will be requested that all late fees and penalties be removed and the bill be re-sent. Second by Mr. Craig.

All council present was in favor of this motion.

Motion carried.

Motion by Mr. Michaels to advertise for sale the Crown Victoria Code Enforcement vehicle with a minimum bid of \$750.00. Second by Mr. Kamus.

All council was in favor of this motion.

Motion carried.

RESIDENTS & TAXPAYERS COMMENTS & PETITIONS FOR GENERAL PURPOSES:

Bob Naugle, 29 Walnut St., Forty Fort stated that someone had butchered the tree on his tree lawn on this date. The street dept. will be contacted in the morning to see if they were the ones responsible for the trimming of this tree.

Mayor Hoats requested that the borough st. dept. trim the trees on Oak St. & Wyoming Ave. and Mrs. Craig requested that they also be trimmed on Wyoming Ave. between Hughes & Owen Sts.

PAYMENT OF BILLS:

Motion by Mr. Michaels to pay all bills as presented. Second by Mr. Kamus.

All council was in favor of this motion with the exception of Mrs. Craig who abstained on a payment to Thomas Craig only.

Motion carried.

EXECUTIVE SESSION:

Council adjourned to Executive Session to discuss matters of personnel & Litigation.

MOTIONS RELATING TO MATTERS DICUSSED IN EXECUTIVE SESSION:

Motion by Mrs. Mascelli to accept the Fire Department contract as follows:

- 1) We will have a contract with Kingston and Forty Fort as separate collective bargaining unit contracts but will be added to the Kingston contract with the addendums currently in place attached as part of the contract.
- 2) Salary- Annual Increases of 2% for each year
- 3) Medical Insurance- if the cost savings are there and comparable insurance for Forty Fort to be covered under Kingston's plan we need to change that contract language. If this cannot be reached for any unforeseen reason, Forty Fort employees will remain the same and receive the benefits as defined in the current contract.
- 4) Articles 2, 29, & 34 shall be amended with the agreed upon language that would state as Forty Fort employees leave the employ of the Borough they shall be replaced through the Kingston Civil Service process and shall be governed by the Kingston Contract. Forty Fort will enter into an agreement with Kingston as to how those new employees will be paid for. All Forty Fort employees will continue to follow the articles of the Forty Fort contract, unaltered unless bargained, for the duration of their employment and the Forty Fort contract shall appear as an addendum to the Kingston Contract. In the event that the Forty

Fort/Kingston consolidation would end the minimum manning clause in Article 29 will stay the same.

- 5) Article 33-a clause will be added that if Forty Fort wished to terminate the Kingston/Forty Fort Fire and EMS consolidation as it now exists, a professional, independent study (that shall include but not be limited to cost savings and service delivery improvements, or at a minimum, equal to current delivery, justifications) shall first be required to substantiate the termination as well as a defined plan of action once the consolidation ends shall be required.
- 6) All changes made in the contract addendum of 2008 shall be fully incorporated into the contract
- 7) Any changes in health care premiums in the event the borough forecasts a substantial increase may be just cause to open the contract for negotiations if we cannot be a part of the insurance coverage with Kingston to benefit cost savings.

Second by Mr. Michaels. All council was in favor of this motion. Motion carried.

Mr. Michaels thanked Ms. Fairchild, Mr. Nowroski & Mr. Brezinski for their assistance in working with PAWC regarding the repairs to the tree lawns in the borough following the water company's replacement of water lines.

An ordinance will be advertised to the Grant Anticipation Note that the borough has voted to obtain to make up for the loss of EIT revenue.

President Chacke recessed the meeting which will continue prior to the work session on September 17, 2012 at 7:25 PM.

Respectfully Submitted,

Bonnie Arnone
Secretary