

TUNKHANNOCK BOROUGH COUNCIL
Regular Meeting
September 3, 2015

Council President Stacy Huber called the monthly Meeting of the Tunkhannock Borough Council to order in the Borough Building, 126 Warren Street, Tunkhannock, PA at 7:00 p.m. He led those in attendance in the Pledge of Allegiance to the Flag.

Present were: Mayor Norman Ball; Council Members Marshall Davis, Scott Douthett, Stacy Huber, Joseph Myers, Robert Robinson, Wendy Sweppenheiser, Lisa Tesluk and Ruth Vincenti; and Borough Manager Dawn Welch.

Others present: Wyoming County Press Examiner (WCPE) Reporter Jeff Horvath; Citizens Susan DiStadio, Harold May, Ned Slocum, Mark Monsey, and Ben Barziloski.

On motion by Joseph Myers, seconded by Ruth Vincenti, move to approve the minutes of the meeting held on August 13, 2015. Motion carried unanimously.

On motion by Robert Robinson seconded by Scott Douthett, move to approve payment of the bills. Motion carried unanimously.

Public Privilege of the Floor:

Mark Monsey, Tunkhannock Business and Professional Association, announced that the Tunkhannock Quilt & Artisans Walk will be held on October 3, 2015.

Finance and Administration Committee:

Chairman Scott Douthett advised that the Pension Advisory Committee will be meeting with a representative from the Pennsylvania State Association of Boroughs (PSAB) on September 16th, at 1:30 p.m., to discuss the possibility of changing pension fund managers.

On motion by Scott Douthett, seconded by Robert Robinson, the Council shall, upon the affirmative vote of the majority of the Pension Advisory Committee, as established by Borough Ordinance, direct the Borough Manager to take such action(s) necessary to change the management of/advisor to the Uniformed and Non-Uniformed Borough Employees' Pension Plans from Univest to the PSAB. Motion carried unanimously.

On motion by Scott Douthett, seconded by Wendy Sweppenheiser, Council authorizes the Council President to sign an agreement between the Tunkhannock Borough Police Officers Association, retired Police Chief Richard Rosengrant, retired Police Chief David Ide, and the Borough amending two prior collective bargaining agreements (CBAs) relieving the Borough from the obligation of providing these retirees "vision" insurance but obligating

the Borough to provide direct fiscal reimbursement to these retirees up to the same amount entitled to active police officers under the current CBA. Motion carried unanimously.

On motion by Scott Douthett, seconded by Joseph Myers, the Council authorizes the Borough Manager to make fiscal reimbursement payments, in a manner or form consistent with good accounting practices, to retired Police Chief Rosengrant for premiums to be paid for Medicare supplement health insurance obtained through a provider chosen by the Borough, all in accordance with the CBA in force at the time of the officer's retirement from the Borough. Motion carried unanimously.

On motion by Marshall Davis, seconded by Joseph Myers, the Council authorizes the Borough Manager to remove Police Officer Robert Roberts from the Borough's employee "group" life insurance policy and to replace that coverage with a \$100,000 universal life insurance policy from the American General Life Insurance Company, therefore satisfying the Borough's obligation under the current Police CBA. Motion carried unanimously.

President Huber reported that the County Commissioners had just released the guidelines for this year's Community Development Block Grant applications/submissions and which were distributed via email. The criteria for applying, etc., are listed therein. Anyone having any ideas for possible submission was asked to contact the Manager.

Robert Robinson, Civil Service Commission (CSC) Chairman, advised that the Commission had met on August 27, 2015 for the purpose of investigating oral and written examinations for Police Department members who have requested to take the test in the pursuit of a promotion to the grade of Sergeant. The Commission suggested that the officers desiring to test make a formal, written request to the Chief. Robert will contact the PA Chiefs of Police Association to procure an exam facilitator. Once the time and place are set, a notice will be provided to the Borough Manager with a request to post in the Police Department. Adequate time to allow the candidates to study for the exam will be afforded; and suggested information for study guides, as available, will be passed on to interested candidates.

Manager Welch reported that the 2016 Minimum Municipal Obligation (MMO) for the Tunkhannock Borough Police Uniform Pension Plan has been completed, subject to final review by Univest. At this time, the total MMO for 2016 would be \$52,399. State Aid would be approximately \$30,000 and members' contributions would be approximately \$6,158, leaving about \$22,000 to be paid from the General Fund. This amount will have to be budgeted.

On motion by Marshall Davis, seconded by Joseph Myers, the Borough recognizes that the 2016 MMO will have to designate approximately \$22,000 from the General Fund for the 2016 Budget. Motion carried unanimously.

Transportation & Streets Committee (TSC):

Chairman Robert Robinson reported that the Committee met on July 22, 2015 to discuss: a) a replacement dump truck; b) Spring and Fall Clean-Ups; c) a storm drain on Turnpike Road that will be replaced for \$5,000 by Charles Corby & Sons; and d) meeting with the Finance Committee on August 28th to discuss the purchase of the dump truck.

On motion by Robert Robinson, seconded by Joseph Myers, move to purchase (under the COSTARS Program) a 2016 F-550 Dump Truck (from Bradco Supply of Towanda, PA) for \$80,685.11. Motion carried unanimously.

On motion by Robert Robinson, seconded by Ruth Vincenti, move to advertise the dump truck being replaced (white F-550) for bid at the appropriate time. Motion carried unanimously.

Building and Property Committee:

President Huber reported that seven bids were received for the Retaining Wall Replacement Project. They were opened and recorded (on August 27, 2015) in the Borough Chambers. Since then, Council received correspondence from the Engineer which noted that: a) the apparent low bid from Stracka Construction was non-responsive, in that it failed to include required items in the submission and must be rejected; and b) the contract should be awarded to the next lowest responsive bidder, Sproul Construction, in the amount of \$101,240; and c) Council President should be authorized to execute the Notice of Award.

On motion by Robert Robinson, seconded by Lisa Tesluk, move reject the bid from Stracka Construction due to the lack of required items. Motion carried unanimously.

On motion by Marshall Davis, seconded by Wendy Sweppenheiser, move to award the Wall Project contract, in the amount of \$101,240, to the next lowest responsive bidder, Sproul Construction; and to authorize the Council President to execute the "Notice of Award". Motion carried unanimously.

In following up on the Mold Remediation Project, it was noted that the impacted area had spread and that additional remediation work would be required. Due to the attendant urgency of the situation, along with safety considerations and aspects, the additional work was approved and will begin next week. The estimated cost was approximately \$7,000.

President Huber requested that Council appoint Wyoming County Planner Lynelle Bennett to serve on our Property Maintenance Code Appeals Board (PMCAB) as the replacement for the former County Planner, Nicole Bolling, who has since left the area.

On motion by Marshall Davis, seconded by Robert Robinson, move to appoint Lynelle Bennett to serve on the PMCAB. Motion carried unanimously.

Robert Robinson reported that Sickler Construction has provided us a quote for: a) constructing a security/privacy door next in the hallway next to the Council Chambers for \$1,258; and b) replacement of the Police Department side door, for safety considerations, to ensure availability of a second emergency egress for \$2,683.

On motion by Robert Robinson, seconded by Joseph Myers, move to contract with Sickler Construction to replace the two doors for \$3,941. Motion carried unanimously.

Riverside Park Commission:

Mayor Ball reported that the Park Commission would be meeting September 8, 2015 to discuss River Town membership again.

Police Committee:

Mayor Ball reported that it was a slow month for the Department.

Chief Hardy presented a summary of the Police Report for the month of August, 2015. Note: a copy of the report will be placed on file in the Police Department.

Police Committee Chairman Marshall Davis requested a meeting of the Police Committee, Chief Hardy, and Wyoming County 911 Center Director Jeff Porter, regarding the implementation of a County-funded Police RMS (Records Management System).

Planning and Zoning:

On motion by Scott Douthett, seconded by Ruth Vincenti, move to appoint Mark Monsey to the Zoning Hearing Board. Motion carried unanimously.

The Zoning Office has received an application for 21 West Tioga Street for use as office space.

Council of Governments (COG):

On motion by Robert Robinson, seconded by Joseph Myers, move to continue membership in the COG. Motion carried unanimously.

Copies of a draft Joint Municipal Agreement and accompanying ordinance for the COG have been distributed. Council Members were asked to review the documents and provide any questions, comments, etc., to the Manager, to be forwarded for inclusion in the final draft, which will, at a later date, be brought back to Council for a vote.

Environmental Committee:

Chairman Wendy Sweppenheiser reported the Committee had met and recommended that Council: a) defer any action on a draft "Quality of Life" Ordinance, and b) continue using our Property Maintenance Ordinance.

Other Business:

President Huber reported that, for many months, we have been discussing the status of the FEMA Restoration Properties in the Borough, the most notable of which is 22 McCord Street and for which we have had an ongoing dialog with the County Emergency Management Agency Office. Little to no progress has been made for an extended period; and we believe that we may be at an impasse. It is unlikely that the situation will change in the foreseeable future. With this in mind and in view of the perceived need to resolve this matter quickly, a meeting was held September 2, 2015 with representatives from Borough Council, Manager, Engineer, Municipal Authority, and Solicitor. It was agreed that the principal remaining item was the need to establish an easement for the adjoining Borough and Municipal Authority properties to allow for drainage from 22 McCord Street. The general consensus was to move ahead with completing the easement and related actions.

On motion by Marshall Davis, seconded by Robert Robinson, move to authorize the Solicitor to finalize the legal documents for the easement; authorize the Engineer to prepare the depictions at a cost not to exceed \$500; and authorize the contractor (Charles Corby) to complete the field work at a cost of \$900. Motion carried unanimously.

In response to a request from the Regional Emergency Medical Services Agency, Tunkhannock Community Ambulance Association (TCAA) has requested authorization to provide personnel and an ambulance in the Philadelphia area during the upcoming visit by the Pope. Operating procedures, protocols, etc., would be as prescribed in Borough Ordinance 2009-3.

On motion by Marshall Davis, seconded by Joseph Myers, move to authorize (as described above) TCAA to go to Philadelphia to assist during the Pope's visit. By a vote of seven to one (7-1), with Ruth Vincenti voting No, the motion carried.

The Road Construction and Dedication Ordinance has been reviewed by the Borough Planning Commission (BPC) and our Solicitor, who provided additional comments. We are now awaiting follow-up comments from the BPC.

On motion by Marshall Davis, seconded by Joseph Myers, move to have the Solicitor advertise the Road Construction and Dedication Ordinance, subject to follow-on review and recommendation by the BPC. Motion carried unanimously.

Council recently received a copy of the developer's response to the BPC's comments on the Walnut Hill Project. These have been referred to the Borough Engineer for additional review and comment.

Council Privilege of the Floor: N/A

On motion by Robert Robinson, seconded by Joseph Myers move to adjourn the meeting at 8:10 p.m.. Motion carried unanimously.

Respectfully submitted,

Dawn Welch,
Borough Manager