

FERNDALE BOROUGH

Page 2068

REGULAR MEETING

Page 2068

DECEMBER 8, 2014

The Ferndale Borough Council met on Monday, December 8, 2014, in the Fire Company's Recreation Hall at 618 Westinghouse Avenue, Johnstown, Pennsylvania.

President Jim Rigby called the Meeting to order at 7:00 pm. and those present recited the Pledge of Allegiance to the U. S. Flag.

CALL TO
ORDER

ROLL CALL

Roll Call showed the following present: Councilmembers— Cindy Dom, Al Lushko, Scott Miles, Mary Rose Shaffer, Mark Wissinger, Jr, Dave Ziemba, Mayor—Ed Dallape and Jim Rigby, Solicitor-Wayne Langerholc, Secretary/Treasurer Carol Schalles, and AP/Payroll—Anita M. Smith.

ROLL
CALL,
ABSENT
&
OTHERS

Jim Rigby is requesting that the Mayor, Police Committee along with Council please accept his resignation from the Police Department, it has been 30 plus years and he would like to thank the borough for letting him serve them that long. With some other things going on his life at this time he has to move on and resign from the Police Department. Mr. Rigby addressed Chief Art Boring about his weapon transfer, and that was approved by the body, then he will have his weapon to work in the other department. Chief Art Boring stated he will need a letter to have it transferred. Motion to accept Jim Rigby's resignation was made by Dave Ziemba and seconded by Mark Wissinger, Jr. A roll call was made and all Councilmembers voted "Yes"; Jim Rigby abstained therefore, the motion passed unanimously. Mayor Ed Dallape wanted to thank Mr. Rigby for his service and added that he is an outstanding officer who was committed to his duty as an officer and wishes there were more Police officers like him.

VISITORS:

Mark Muir – EADS

William Cornell - Ferndale Fire Association

Mark Muir – EADS, stated that right now they have 448 Inspections completed. With Ferndale sending out letters to remind the residents that have not tied in, when they pulled the list of residents together, if the property itself was on the neighboring properties that wasn't tested the software pulled that partial information and flagged them as not tested. There were about 10 or so that this happened to. EADS is updating the list so the office will have it if someone calls in. EADS has received calls from residents on Ferndale Avenue, there were four properties, and there was no sewer line replaced during the construction because it goes underneath a building and they were told they do not need to pressure test and there is no viewport. Mr. Muir would at least recommend that they remove their down spouts and get an inspection to make sure there is no visual storm water going into the system. EADS will fill out a form so there is a paper trail of the work being done. EADS will follow up with those residents and when they are in this area they will take care of the inspections. Mr. Muir mentioned about Tillman and Plainfield Avenue that Ferndale has an agreement with the city, they put some laterals in for us, does Ferndale want to send those residents a letter and have them tie in when the city line is accepted by the city. EADs will let us know once it is available and keep us updated.

MEETING MINUTES:

Amendment to the meeting minutes from November, Al Lushko was present and needs to be added. Motion to accept the meeting minutes from November 10, 2014 was made by Al Lushko and seconded by Dave Ziemba. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

ENGINEER'S REPORT:

Jim Rigby stated that he had asked CJL to send him the paperwork from Dale Mills on questions from different articles for items that need to be addressed. They were supposed to provide us with that information, since they could not make the meeting, but we did not receive that information. This will be something we will need to address at the next meeting in reference to the change orders. Mr. Rigby did ask them to go ahead and review the change orders and come up with answers for us and provide them to our Solicitor.

EMERGENCY MANAGEMENT + FIRE CO. REPORT + WEST HILL'S REPORT:

William Cornell mentioned that he attended the workshop meeting on December 1st, 2014. The West Hills report will be sent by e-mail for all to review. The Fire Association met with the State/DCED to talk about the Fire commission to make sure it was moving in the right direction and to get more of Council's involvement with regards to the commission. A fund drive letters/reminders were mailed out. The 2015 budget was also included, they have three pieces of apparatus in Ferndale, an engine, a rescue and a utility vehicle which they revamped the utility and put a pump and a ladder on it and it replaced the 1978 apparatus Brownstown had. They removed the engine from the budget so there is less money in the budget. They asked the commission to put the money into escrow for the future budget. The Fire Department did apply for two grants, one is for FEMA and the other one is a camera to see through smoke to rescue victims. Motion to accept the Emergency Management + Fire Company report was made by Dave Ziembra and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

EQUIPMENT STREETS TO BOROUGH PROPERTY REPORT:

Brian McAteer stated the Street Department closed the restrooms at the field. Portage ran the camera from Suter Street to Ogle Street for our direct drill inspection. The handicap sign was placed on Harlan Avenue. Tires were replaced on the sweeper. Two bolts were replaced in the rear axle of 2008 F350. The plow set up for the gator was repaired. The Plows and spreaders are on the F-550, the 2008 F350, and the plow on the 2005 F350. A new pressure switch was put in the air compressor. Scott Miles asked where we are with ordering new shirts for the Street department. Mr. McAteer had said the order was already placed through K-Tees. Motion to accept Equipment streets to boroughs property report was made by Cindy Dom and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

TREES:

Scott Miles stated that in the past in the State code book and Ferndale's ordinance book that the tree between the sidewalk and the curb is the homeowner's responsibility. After Mr. Miles came on the Tree committee he was not able to find the tree ordinance to show residents that it was their responsibility. There were incidents where a child was almost hit by falling limbs, he then talked to the owner of the property and she asked him to show her the ordinance and Mr. Miles had nothing to fall back on, no proof. Mr. Miles and Mr. Rigby went to inspect the trees that were falling down and Mr. Miles made the executive decision to remove those trees before they hurt someone. The new ordinances are now in place and it states that it is the owner of the properties responsibility. Motion to accept the Tree Report was made by Cindy Dom and seconded by Dave Ziembra. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

MAYOR AND POLICE REPORT:

Mayor Ed Dallape asked Jim Rigby if the codification was complete. Mr. Rigby stated that they are right now in binders and for review by the body of the Council. Mr. Rigby would like the binders to be signed out to review and return to the office. The codifications will be reviewed over the workshop possibly in February if any changes are to be made. Scott Miles made a motion to add two new part-time police officers and seconded by Mary Rose Shaffer. All Councilmembers Voted "Yes"; therefore, the motion passed unanimously.

Motion to accept the Mayor and Police Report was made by Al Lushko and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

ACCOUNTS PAYABLE CLERK REPORT + BILL LIST AND ADDITIONAL BILLS + TAX COLLECTOR'S REPORT:

Anita Smith provided Council with the bill list and the additional bill list, the bulk of it being garbage. In the general fund is \$8,308.95. Recreation, Sewer Maintenance and Highway Aid the money was all used in the street lighting and is now being taken out of the Highway Aid Fund. The total of all accounts is \$88,011.87. Motion to accept the Accounts Payable Clerk Report + Bill List and Additional Bills + Tax Collectors Reports was made by Cindy Dom and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

FINANCE COMMITTEE REPORT:

Mary Rose Shaffer stated that Finance has one item to discuss and that is the 2015 budget and she reminded Council that included in this budget is a 1 mil increase. Mrs. Shaffer made the motion that Council accepts the 2015 budget as presented by the Finance Chair and was seconded by Al Lushko. All Councilmembers voted "Yes"; therefore, the motion passed unanimously. Motion to accept the Finance Committee Report was made by Al Lushko and seconded by Cindy Dom. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

SEWER-SEWER PROJECT:

Cindy Dom addressed the Solicitor in reference to the e-mail she sent about Robert's Oxygen. The Solicitor's recommendation is to have them terminate the easement. The Solicitor will get it to Mrs. Dom to get to Robert's Oxygen to sign. Mrs. Dom also stated that residents that have a contract stating that they made arrangement to have their laterals tied in should have a grace period. Jim Rigby stated we were already given a grace period but if we do not comply, Ferndale will have to pay a \$10,000.00 a day fine. Contractors will have to commit by the due date. Mr. Rigby spoke with Mr. Flick from FWF Insurance in reference to the Sidor property. The day this happened it should have been handed in to the Insurance company right then. The Sidors will need to deal directly with the Contractors Insurance Company. The borough itself is not liable it is the contractor's responsibility. The check to pay ServPro and the BTS bills for the Sidors was previously approved by Council and will be paid in January. Mary Rose Shaffer asked Mr. Rigby about Helen Muha. Mr. Rigby stated according to Mr. Flick it is not the boroughs responsibility it has to go back to the contractor it is their responsibility. Council will look into Mrs. Muha's ServPro bill. Motion to accept the Sewer-Sewer Project report was made by Al Lushko and seconded by, Dave Ziemba. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

PERSONNEL COMMITTEE REPORT:

No Report.

RECREATION REPORT:

Mark Wissinger, Jr brought up talking with Sam Hillegas about becoming the Recreation Director next year. Jim Rigby asked if they followed up with Henry Eisenhuth. Scott Miles mentioned that the two kids Ferndale helped go to nationals last year, Derrick Christie and Anthony Walters, they are freshman this year at Westmont and they won the weight class. Anthony Walters was named outstanding wrestler. Motion to accept the Recreation report was made by Mary Rose Shaffer and seconded by Scott Miles. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

PUBLIC RELATIONS REPORT:

No report.

ATTORNEY'S REPORT:

Items were previously covered during this meeting. The Solicitor stated that the Bereavement Policy is ok to go retroactive to add grandparents to that policy. Scott Miles mentioned about the letter for the Dollar General on Goucher Street to get a fence to prevent their garbage from going into resident's yards. The Solicitor will take care of the letter. Cindy Dom addressed the Solicitor about tying in at the Armory. The Solicitor is still reaching out to them and will get back to Mrs. Dom on this matter. Motion to accept the Attorney's report was made by Al Lushko and seconded by Scott Miles. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

OLD/NEW BUSINESS & CORRESPONDENCE: COMMERCIAL PLAN REVIEW/PERMIT FEE SCHEDULE:

Dave Ziembra brought up about the vehicle that was transferred to Brownstown and asked if the Insurance was transferred over. Jim Rigby said that Brian McAteer was to look into that and he will follow up with him. Mr. Rigby also stated that a percentage is transferred to Brownstown and Ferndale should receive a small credit.

ADJOURN

The Meeting adjourned at 8:40 pm.

Respectfully submitted

Carol A. Schalles
Borough Secretary/Treasurer
(12/08/14)