

FERNDALE BOROUGH

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REGULAR MEETING

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NOVEMBER 10, 2014

The Ferndale Borough Council met on Monday, November 10, 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—Jim Rigby, Cindy Dom, Mary Rose Shaffer, Al Lushko, Mark Wissinger, Jr, Dave Ziemba and Solicitor-Wayne Langerholc, Secretary/Treasurer Carol Schalles, and AP/Payroll—Anita M. Smith. Absent: Scott Miles and Mayor—Ed Dallape.

ROLL
CALL,
ABSENT
&
OTHERS

VISITORS:

*Sean Glenn and William Cornell - Ferndale Fire Association
Garrett & Brenda Sidor
Josh Mothllo – Stephen Sharp -FAHS Business - 5K Run – 288-5757
Connie Torr – Gerry Kiniry-Rorabaugh 824/825 Harlan Avenue – Handicap Parking
Brianna Cornell – Student observer
Charis Biancucco- Student observer
Taylor Kinsey – Student observer*

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

Sean Glenn stated that they have reached a point with the Ferndale Fire Association as you all know we make quarterly payments to offset the Fire protection cost for West Hills. They are paid up through the 3rd quarter now that all of the Jubilee expenses have been taken care of. There will be a meeting with the board of directors. Their financial state is not good at all. Looking at the bank account at his time they will not have the funds available to make the 4th quarter payment to the borough. There will be an Association meeting on November 18th and invited all active members as well as all of Jubilee volunteers to have a serious discussion about the future of the Ferndale Fire Association. Looking back on past years in 2008 they made approximately \$25,000.00 profit; 2010 the profit was a little better it was \$29,000.00; in 2011 it dropped to \$15,000.00; 2012 made a little less than 3,000.00 profit from Jubilee right now they are sitting on approximately \$600.00 in the account. The Fire Association is looking into fund raiser possibilities. Hopefully a fund raiser will cover the cost of the lights and bills. The borough will get the assets and the building and jubilee equipment. President Jim Rigby stated that they will sit down with the Fire Association at a Committee meeting to discuss this further. Emergency Management was discussed by Bill Cornell stating that he did receive a phone call from the County for NIMS compliance. All of Council did complete this compliance at this time. There are classes online to take this quiz. The borough secretary and Steve Mitchell's replacement Dave Ziemba will have to complete the NIMS 200 and the NIMS 800. There is no time frame to have this completed. This requirement has to be completed in order to receive Federal Grant money. There will be an implemented training if a disaster occurs. December is the Firefighting training and it was requested to use the borough building for this training. Motion to accept the Emergency Management + Fire Co. report + West Hill's report was made by Mark Wissinger, Jr. and seconded by Cindy Dom. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

Garrett & Brenda Sidor – They came to the meeting again tonight to discuss trying to meet with council to get the previous sewer damage payment issue cleared up. Mrs. Sidor mentioned it is

declined and they were told they have to meet during the office hours of 9:00a.m. till 4:00 p.m. Mrs. Sidor asked what can be arranged for them to fill out the paperwork to have this completed and what the next step is. The Solicitors document was also worded incorrectly showing the Sidors as owners not Mrs. Sidor's Mother which is how it should be noted and were told it would be changed on the document in writing and initialed. Jim Rigby added that the official form needs to be signed and taken care of. Mr. Rigby also stated that we need to get the dollar amount. The Sidors were previously told at a prior meeting and again at this meeting that their itemized list for \$3065.00 was not approved since there are no receipts or pictures to show proof of the damaged items. The Sidors stated they did give the borough pictures but there are not any on file in the office files. Mr. Sidor presented Mr. Rigby with pictures for the items during the meeting. Mr. Rigby also stated that BTS and Servpro will be paid and the only thing in question is the itemized list of damaged items. Mary Rose Shaffer reminded Jim Rigby that there was a previous motion made not to pay the itemized list of damaged items from Mrs. Sidor's mother's basement. Mr. Rigby stated he will talk with the Insurance Company then meet with the Sidors to resolve this issue.

Josh Mathllo -FAHS High School Teacher and the Faculty Advisor for the senior hockey players. Stephen Sharp of the Business Club. Mr. Mathllo stated every year they take the seniors on a field trip with the Business Club to different locations to learn about various careers. Last year the students were taken to Sidor Point on a field trip with the Business Club for them to learn about all the various jobs that were available there. They are looking at taking the students on a field trip to Washington, D.C. this year. Mr. Mathllo would like to organize a 5 K Color Run fundraiser and set up accommodations in the borough and hold it in Ferndale. He spoke with Mr. Steve Closen the Athletic Director and he said they could use the football field for a meeting point for registration and what have you. Jim Rigby mentioned Ferndale has two courses one that takes you out of the borough and one that you stay in the borough. Mr. Rigby said to set a date work with the Police department for traffic control and the Fire department. Ferndale has control of the Avenue and they will not be shutting the road down. He also mentioned they will need to get a Certificate of Liability; the school should have a blanket certificate of Liability. Mr. Mathllo said they will be in contact with the District Solicitor to make sure everything is in compliance.

Connie Torr – Gerry Kiniry-Rorabaugh – parking. Mrs. Torr needs a handicap parking space directly a crossed from her home. Someone has parked there for 7 days straight. Jim Rigby asked where exactly would she like the space and she stated on the upper side of the rode on the 800 block, 824/824 on Harlan Avenue. Art Boring will show the Brian McAteer where to place the sign. Motion to put a handicap parking space on the Upper end of the 800 block was made by Jim Rigby and seconded by Cindy Dom.

MEETING MINUTES:

Motion to accept the meeting minutes from November 10, 2014 was made by Al Lushko and seconded by Mark Wissinger Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

ENGINEER'S REPORT:

Jim Rigby went over the Engineers report that was sent by e-mail with Council. 435 - Inspections were complete. Entire system tested - 181. Outside only tested – 163. Lateral issues – 540 Glenwood Avenue – lateral was not deep enough. 557-561 Ferndale Avenue – need easement – Penn Machine willing to give easement. Jim Rigby asked Brian McAteer if we received the easement from our Solicitor and Mr. McAteer stated he did not receive anything. Mr. Rigby will check with the Solicitor on this. Franklin Street west of Goucher Street – Mainline was cured in place and no viewports were installed – was completed. Mr. Rigby started the Engineer's information was previously discussed at the Committee meeting. Mr. Rigby asked Council if we received any contract in writing about the homeowner's easement for the Morgan Property. The secretary spoke with Mrs. Morgan from Vickroy Avenue and Mrs. Morgan stated they had nothing in writing that her husband did ask Mr. Ron Walker from CJ&L

and Mr. Walker said they did not need anything in writing. Council will look into this.

EQUIPMENT STREETS TO BOROUGH PROPERTY REPORT:

Brian McAteer stated the street department installed all of the inserts in proper manholes according to Bill Patrick from CJ&L's map. They did not order or install any inserts in our existing storm lines. Installed new door in the Police office, sanded and stained the door. Cleaned up garbage pile left on Midway by the gas house. Easement – Dug, installed, inspected and backfilled Kraliks lateral at 211 Summit Avenue. Cindy Dom mentioned a gentleman came to the office about repairing the water leak on the roof above the council chambers. Mrs. Dom gave his card to Roger Bock to get an estimate and will get in touch with Mr. Bock to see if this was taken care of. Mark Wissinger, Jr brought up buying Jackets for the borough workers every two years and using the clothing allowance. Mary Rose Shaffer stated that the borough pays for T-shirts. Cindy Dom mentioned that Kate Herbert from KTees asked her about the borough ordering from her company. Mary Rose Shaffer stated that we have to look at quality and price and we will add the jackets to the clothing allowance. Jim Rigby stated to offer the street department winter jackets and hopefully they will last ten years. Jim Rigby said for Mark Wissinger, Jr is to meet with the street department to them they have to wear uniforms. Mrs. Shaffer also mentioned that Derrick McKee's brought to Mrs. Shaffer's attention that his grandparents passed away and it is not in the personnel policy. Mrs. Shaffer stated this should be included in the personal days. Jim Rigby said to amend the personal policy and add it to the policy. Mary Rose Shaffer made a motion that we amend the personnel policy to the street department that grandparents to be added to the personnel policy and to be retro as of January 1, 2014 if approved by the solicitor and was seconded by Dave Ziemba. A Roll Call vote was taken; Cindy Dom, Scott Miles, Mary Rose Shaffer, Mark Wissinger, Jr, Dave Ziemba and Jim Rigby voted "Yes"; and Al Lushko voted "No". The motion passed 6-"Yes" and 1-"No". Most Councilmembers voted "Yes"; therefore, the motion passed unanimously. Jim Rigby stated if the Solicitor says no it will be effective as of November 10, 2014. Motion to accept Equipment streets to boroughs property report was made by Al Lushko and seconded by Cindy Dom. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

TREES:

No report. Jim Rigby told Council there were two trees removed on Midway that were hanging over the street. Brian McAteer suggested since tax payers dollars are being used to cut down trees in the borough to keep the wood for the residents to use for fire pits. The street department would hale this wood away and it would also save money. Jim Rigby thought this was a great idea and will discuss it with Scott Miles.

MAYOR AND POLICE REPORT:

Chief Art Boring provided all of Council with a copy of the current Police report and asked if there were any questions. Mr. Boring met with the new codes officer for Laurel Municipal Inspection Agency Joe Muskatello; they went around the borough and checked on four properties. There was a home by Jats that installed a fence and was checked out with codes and they did have a permit for the work. The other three properties are being reviewed by codes. Early Sunday morning an officer sideswiped a car on 900 Fernwood Avenue. It was \$13,000.00 dollars on the Camry. Chief Art Boring is calling the Insurance Company and turning into to them. Barb Frantz from Laurel Municipal called Art Boring in reference to the property at R1711 Mendel Alley and R Franklin Street and wanted to know if he would like to take this to court, Mr. Boring's response was yes. There will be a timeline or tour down. Mary Rose Shaffer addressed the Solicitor with the information that was brought up earlier in the meeting in reference to the personnel policy to state to add Grandparents for funeral days and that it is not included in the current policy. The Solicitor asked if it was to make it retro back to January 2014. He will look into this and get back to Council. Chief Art Boring brought up his contract ending at the end of the month. Mary Rose Shaffer stated that the Mayor and Scott Miles are not here at the meeting and she suggested bringing it up in December's meeting. The Contact Amendment was created for the next two years and was brought up by Mary Rose Shaffer. The

service contingent upon final review and execution was made by Al Lushko and seconded by Cindy Dom. All Councilmembers voted "Yes"; with the exception of Jim Rigby which was abstained, therefore, the motion passed. Motion to accept the Mayor and Police Report was made by Cindy Dom and seconded by Al Lushko. 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 tax collector report. Mrs. Smith is working on the bill list and will provide a copy to Council by e-mail and if there are any questions please e-mail or call. Jim Rigby addressed Mary Rose Shaffer as mentioned at the workshop about the budget with a report with how much is coming out of Recreation monthly. How much is coming out for water and electric. Al Lushko stated the three mils for Recreation has to go towards Recreation. Jim Rigby and Mary Rose Shaffer spoke with Anita Smith about the bank postings and why there is nothing showing in the breakdown for Recreation expenses and payroll. Jim Rigby stated that 1/2 mil \$5,412.00 derived by the assessed value of homes and based on 876 properties. Mary Rose Shaffer said some of them are Tax exempt which Anita Smith stated this is the Church, the football field and the borough building. To cover the cost of the Fire Association Ferndale will have to raise to 1 Mil to cover the cost for Fire Protection. This will be \$12.44 per resident to cover this. Motion to accept the Accounts Payable Clerk Report + Bill List and Additional Bills + Tax Collectors Reports was made by Al Lushko and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

FINANCE COMMITTEE REPORT:

Mary Rose Shaffer made a motion to move the budget adoption until the December meeting until we meet with the Fire Association to see where we are going to be. Jim Rigby stated let's take that motion one step further that we have a workshop meeting one week before to adopt the budget. After the council meeting it will have to be advertised for three consecutive days. Dave Ziembra addressed Council to see if we could get a portion of the permit cost. Jim Rigby stated we do not have to pay anything out if Laurel Management takes a residence to court or to prepare documents. Jim Rigby stated to table this discussion and take it to the workshop meeting. Mary Rose Shaffer brought up about the Sewer Project Fee we have a \$1,275,000.000 line of credit that is due December 31, 2014. Mrs. Shaffer is requesting that Council permit our Solicitor find a bank to give us a short term loan to pay off this line of credit. Now it has been recommend that we increase the sewer project fee \$9.00 per month. Mrs. Shaffer is recommending we have set aside in the budget money that we pay every year in interest to this line of credit. We have to have all the change orders we have to have that all cleared and all paid off against that loan, and we also have to have a new application for additional Penn Vest funding. The borough cannot sustain this kind of debt without raising the sewer project fee. Mrs. Shaffer is going by the recommendation of the Harrisburg attorneys that are saying \$9.00 a month. Anita Smith contacts CJ&L every week to see where we are with the change orders. Someone from the sewer committee needs to step up and take command. Jim Rigby asked if the solicitor can send a certified letter to Dale Mills from DEP so they have to respond. Mrs. Shaffer stated she needs council's permission to get this loan. The solicitor is going to contact Dale Mills and look into a short term loan. Mrs. Shaffer asked Council permission for her and Councilwoman Dom to meet with Senator Wozniak to see if they could get additional grants to offset the additional expense Ferndale incurred. Motion to accept the Finance Committee Report was made by Cindy Dom and seconded by Al Lushko. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

SEWER-SEWER PROJECT:

No Report was previously discussed.

PERSONNEL COMMITTEE REPORT:

No Report.

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RECREATION REPORT:

Mark Wissinger, Jr brought up girls basketball was going very well. Motion to accept the Recreation report was made by Cindy Dom and seconded by Mary Rose Shaffer. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

PUBLIC RELATIONS REPORT:

No report.

ATTORNEY'S REPORT:

Previously discussed.

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

Jim Rigby received the certified letter from Ed Pollock from DEP, he gave it to the solicitor with the pay fee it is to be signed and sent back to him by certified mail. There could be a fine of \$10,000.00 per day if not taken care of.

Motion to adjourn was made by Dave Ziemba and seconded by Cindy Dom

ADJOURN

The Meeting adjourned at 10:20 pm.

Respectfully submitted

Carol A. Schalles
Borough Secretary/Treasurer
(11/10/14)