

FERNDALE BOROUGH

Page 2058

REGULAR MEETING

Page 2058

OCTOBER 13, 2014

The Ferndale Borough Council met on Monday, October 13, 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, Scott Miles, Mary Rose Shaffer, and Mark Wissinger, Jr, Dave Ziemba and, Mayor—Ed Dallape, Solicitor-Wayne Langerholc, Secretary/Treasurer Carol Schalles, and AP/Payroll—Anita M. Smith. Absent: Al Lushko.

ROLL CALL, ABSENT & OTHERS

VISITORS:

Mark Koplin – 723 Summit Avenue

Mark Koplin – Attended the meeting to thank Council for working so quickly with the bank and taking the necessary action to clean up the property located at 721 Summit Avenue. Jim Rigby did share the letter that the Solicitor received from the bank with Mr. Koplin asking for an additional 30 days until the ejection notice went through with the person that is currently living at the property. The bank is waiting until the tenant is moved out then they will take the necessary action to take care of all the problems with the property.

MEETING MINUTES:

Motion to accept the meeting minutes from September 8, 2014 was made by Scott Miles and seconded by Cindy Dom. All Councilmembers voted “Yes”; therefore, the motion passed unanimously.

CODIFICATION DISCUSSION:

The revised final draft of the codification was reviewed by all of Council. Jim Rigby thanked Mary Rose Shaffer, Chief Art Boring and the Mayor for working on the codification. Once the ordinance is received Ferndale will receive a disc of the ordinances. Mary Rose Shaffer made a motion to accept the Ordinance #489 which is the code of ordinances and Scott Miles seconded the motion. All Councilmembers voted “Yes”; therefore, the motion passed unanimously. A motion was made by Mary Rose Shaffer to accept the fee resolution and seconded by Dave Ziemba. The codification will be advertised in the Tribune Democrat and a copy of the codification will be sent to the Cambria County Law Library and the County Planning Commission.

ENGINEER'S REPORT:

No updates were provided from EADS. Cindy Dom addressed council to state that Ferndale will be receiving a list of all of the residents that have not tied in as of yet. Cindy Dom and Carol Schalles are to create a letter to send to the residents that have not tied in and give to President Jim Rigby for approval. Mary Rose Shaffer mentioned her concern for change order #7. Brian McAteer stated that Bill Patrick from CJ&L said to get those inserts put in and the Street Department went out and put them all of them in all of Ferndale Avenue. Then he turned around and gave Brian McAteer a map to follow and from Clay Street out they don't get them. These were left behind and the Contractors should have put these in when putting in the

manholes. This is supposed to stop water from going into the lines. Bill Patrick stated that Dale Mills from DEP said this needs to be completed ASAP. Jim Rigby stated that is how council found out why money was being held. Once the inserts are put in then they will have to be inspected by CJ&L. Cindy Dom mentioned that the letter from Dale Mills from DEP stated that once this is completed it will need televised. It was asked by Mr. Rigby is this an annual requirement. Mrs. Dom relied saying it is and has to be done for the first five years. Brian McAteer told council that the lateral from 214/216 Station Street is finished, backfilled and paved.

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

All of Council received the Fire Association report either written or by e-mail. Mary Rose Shaffer stated that the Fire Association is not paying their quarterly report and they are past due. Jim Rigby said he would address this with the Association since he is on the board. 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.

EQUIPMENT STREETS TO BOROUGH PROPERTY REPORT:

Cindy Dom stated that since she is no longer on this committee she would like to hand over the scheduling of the Park and Community room to Mark Wissinger Jr. Jim Rigby was working with Brian McAteer, in the front of the building; there is now a wheelchair ramp that meets code. They put handrails in and there will be a bell outside so the office can provide assistance to enter the building. Fernwood was also addressed since a lady called questioning when the sidewalk and curbing would be removed. This project was completed. Brian McAteer stated they installed the Fire Associations mailbox inside of the back doorway. The Street department ordered 100 tons of salt. Brian McAteer had questions on signs; the Pedestrian sign on Ferndale Avenue was damaged. Installed two no parking signs on the 300-400 block of Hystone. Question on the Deaf Child sign on Quaker Avenue is this still warranted. Chief Art Boring will look into this and get back to council. Mr. McAteer asked if there was any news on the Easement for Penn Machine. Nothing to report at this time. Trimmed trees hanging over the roadway or interfering with traffic through the borough. Mr. McAteer made several attempts to contact Debbie Kralik from 200 Summit Avenue to make arrangements to have her easement done. Mr. Rigby suggested sending a certified letter to her stating that she would need to contact the office to make arrangements to have this easement completed. There was a letter that was sent to the Ferndale Office from a concerned resident. If there is no signature on the letter there is no one to follow up on this. The letter was in reference to a property on Breezewood that had weeds, high grass and the overall project should be looked at and Laurel Municipal Inspection Agency should look into this. Chief Art Boring and Jim Rigby will follow up on this issue and call Ben Grush from Laurel Municipal. Motion to accept Equipment streets to boroughs property report was made by Cindy Dom and seconded by Dave Ziemba. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

TREES:

Scott Miles and Jim Rigby looked at the trees on Plainfield and Glenwood Avenue. The ordinance states the homeowners are responsible. In the past no one could find the ordinance or the tree permit so Scott Miles spoke with Jim Rigby and made a decision to take those trees down since the accident on Route 403 took place. Motion to accept the Tree report was made by Cindy Dom and seconded by Mark Wissinger, Jr. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

MAYOR AND POLICE REPORT:

Mary Rose Shaffer recognized Chief Art Boring stating he would like to address Council in reference to his pension. Chief Art Boring looked into the contract/binder it had in the document that 25 years of service and another area had about the age 65. Chief Art Boring checked with the FOB and Ferndale Borough are NON-ACT 600 and the borough has the right to ask the company Ferndale has the pension plan with for an actuary study for the status of our pension

fund. If the pension fund can support the amount that council came up with then Ferndale can put the Chief on the pension plan. Anita Smith spoke with Doug and he said it would cost \$1500.00 to do the actuary report. Scott Miles asked if Doug said it would be worth it to do the accuracy study and Anita Smith responded to say he doubted that the money would be there since it is underfunded. There are two previous employees drawing from the pension fund. Jim Rigby addressed Art Boring that I think your concern is your 65, you can collect it's the amount of what you can collect. Art Boring responded saying I can't collect it states that you have to have 25 years of service it used to be or 65. Jim Rigby stated that his pension would be based on his years of service not on the 25 years which would be the full, so if he has 12 years it would be 49 ½ %. The Mayor said there was a number given and Mary Rose Shaffer stated yes, \$750.00 a month. The Mayor stated that he wanted council to understand that the Mayor has probably the final decision on the Police Chief's contract, not the money that is council's responsibility. The Mayor suggested have a Police Committee meeting and discussing it further; the Chief has a contract up until December 31st of this year. Scott Miles called a Police Committee meeting for Wednesday, October 15, 2014 @ 7:00p.m. to discuss Chief art Boring's pension in the Police Chambers. Mary Rose Shaffer asked Art Boring if it didn't work out with the pension did you say you would stay on. Art Boring responded by yes it could be negotiated. Mrs. Shaffer asked how much of an increase would he want, Art Boring responded that he was getting a 2% increase per year so that is what he would want. Motion to accept the Mayor and Police Report was made by Dave Ziemba and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

Jim Rigby also suggested that Council have a workshop meeting on November 3rd dedicated to both the budget and the Police Committee Meeting.

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

Anita Smith put the Tax Collectors report, financial statements, bank balances are now reconciled, and the bill list was put in your packets to review. She is working with Barns Saly & Company to get the new trial balances. The paid and non-paid bills \$62,626.52, and the additional bills are \$32,983.18 with the bulk of that being the Foreign Fire Tax which is \$7,416.80 and we receive a check from the State for that. The Police pension that we receive State Aid for is \$19,363.40 our MM obligation was \$20,731.00 so the borough has to pay \$13,000.00 towards the police pension. Mrs. Smith has been working with Penn Vest and was told that Ferndale doesn't have a browser that is compatible with the Penn Vest browser. Mrs. Smith spoke with Chief Art Boring and he had said Ferndale has EI8 and she needs an IE-11 and she spoke with Karen Dillinger at Penn Vest and she cannot get on the change order. Anita Smith requested to take off Friday, November 7th since she will be in Harrisburg she would like to meet with Karen Dillinger to show her exactly what she has to do to get into that program. Council approved Mrs. Smith to meet with Karen Dillinger from Penn Vest. Mrs. Smith stated that the Flood Insurance is renewable and Option B is \$2172.00, \$162.00 more this year. \$1583.00 for buildings and \$10,000.00 for contents. Motion to accept the Accounts Payable Clerk Report + Bill List and Additional Bills + Tax Collectors Reports was made by Scott Miles and seconded by Cindy Dom. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

FINANCE COMMITTEE REPORT:

Mary Rose Shaffer stated that Art Boring turned 65 in August and Ferndale's personnel policy states when turning 65 you are to go on Medicare and come off of Ferndale's Insurance. Art Boring told Mrs. Shaffer that he would not be on Medicare until January. Mr. Boring will contact them and look into this further. Mrs. Shaffer mentioned that Ferndale's healthcare went up \$7,000.00 per year that is a 16% increase. Mrs. Shaffer is proposing right now we are paying a deductible of \$1,000.00 will raise the deductible to \$1,500.00 to lower the cost and everything else will stay the same. Jim Rigby mentioned if we raise the deductible to \$1,500.00 from \$1,000.00 then it allows to make raises in salaries. If we maintain what we have right now it would equal out to 67 cents an hour per employee. Motion to raise the deductible for hospitalization from the current amount of \$1,000.00 to \$1,500.00 annually, beginning with the December 1st premium, was seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously. All Councilmembers voted "Yes"; therefore, the

motion passed unanimously. Mary Rose Shaffer mentioned that the fall banquet for the Cambria County Boroughs Association will be this month October 21st @ 7:00 p.m. at the Nanty Glo Fire hall and is requesting permission for the Secretary/Treasurer, Councilwoman Dom and herself to attend. It was opened up to all present to see if anyone else would like to attend. Scott Miles and Chief Art Boring will also attend. Motion to accept the Finance Committee Report was made by Scott Miles and seconded by Dave Ziembra. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

SEWER-SEWER PROJECT:

No Report was previously discussed.

PERSONNEL COMMITTEE REPORT:

No Report – previously discussed.

RECREATION REPORT:

Mark Wissinger, Jr stated that they are going to need another coach for girls' basketball. Ray Peel coach's girls Jr High and boys pee wee basketball but doesn't have time to coach the pee wee girls. Jim Rigby asked what their salaries are for coaching and Mark Wissinger Jr said \$150.00 and doesn't think that is enough for a whole season. Jim Rigby stated to increase the salaries to \$300.00 per season since it is so much work and a long season. Scott Miles mentioned that Wrestling starts Monday, November 10. A couple of months ago the borough gave one of Ferndale's Wrestlers a scholarship, Derrick Christie goes to Fargo, North Dakota. Since he went to Fargo, North Dakota and he is only going into 9th grade this year, Derrick received a call from a college recruiter the other day that scouts kids from 13 different colleges, just to let Derrick know that he saw him in Fargo and they are looking at him said to keep his grades up and keep up the good work. If the borough didn't give him the money to help offset the cost of going to Fargo then he would have never been seen. He also was invited to go to a clinic in Toledo, Ohio so that wouldn't have happened either. Motion to accept the Recreation report was made by Cindy Dom and seconded by Dave Ziembra. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

PUBLIC RELATIONS REPORT:

Scott Miles mentioned to the Solicitor that Dollar General is located off of Margaret Avenue. The Ferndale resident directly across from the store gets so much garbage in their yard from the store, can we send the store a request for them to get a fence or a barrier to keep the garbage from coming into the yard. The Solicitor will create a letter to the store.

ATTORNEY'S REPORT:

Attorney Wayne Langerholc mentioned he would send a form that the borough may be entitled to money from a claim or a settlement. Also the municipal lien, he will have an answer for council at the next council meeting. Attorney Langerholc received the drawings from Mark Muir (EADS) for the easements and will get that to Brian McAteer. Jim Rigby asked about the letter from Attorneys Kaminski's office stating they did send the ejection notice to allow time for the tenants to leave the property or they will take action after 30 days. They got back to Chief Art Boring stating they will be out by October 17, if they do not leave the residence then, we may have to take legal action. It was mentioned this property will never meet code and will need to be torn down. Motion to accept the Attorney's Report was made by Cindy Dom and seconded by Scott Miles. A call was made for a Roll Call vote. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

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

Carol Schalles spoke with Mr. Francis D'Ettorre from JRA to follow-up on the compliant form. Mr. D'Ettorre asked to follow-up with Mr. Ed Pollock from DEP and he has not returned the phone calls as of yet. Jim Rigby mentioned that consent form is to state that if Ferndale is not

100% compliant then we will address the 400 homes that did not do the 100% tie in. The Police Committee was to discuss having a codes officer. This was discussed and the Secretary is to copy Chief Art Boring along with Council when sending the updates from CCBCEA Laurel Municipal Inspection Agency. Mary Rose Shaffer addressed Chief Art Boring concerning the double house on Summit Avenue, which is unfit for human habitation and Mr. Speicher filed with Cambria County Tax Assessment office. Chief Art Boring will look into this.

Motion to adjourn was made by Cindy Dom and seconded by Mark Wissinger, Jr.

ADJOURN

The Meeting adjourned at 8:30 pm.

Respectfully submitted

Carol A. Schalles
Borough Secretary/Treasurer
(10/13/14)