

FERNDALE BOROUGH

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REGULAR MEETING

JULY 13, 2015

The Ferndale Borough Council met on Monday, July 13, 2015, 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.

ROLL CALL

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

VISITORS:

Dianna Graham of 440 Vickroy Avenue , Darlene Maldet of 439 Vickroy Avenue, Tim Leighty of Midway Avenue, William Helsel of FWF Insurance Company , Dianna Graham thanked the Councilmembers for reversing its decision on the parking on Vickroy Avenue; she spoke on behalf of herself and her daughter Darlene Maldet.. She said everyone on that street is much happier and everything has settled in.

William Helsel talked about 401k, 403B, IRA and Roth IRA as investment programs for Borough employees and in particular, the Police Chief. He said he would sit down with some Councilmembers and discuss in detail what is available after he knows if the Council is contributing anything or if its just a payroll deduction for the employee. He said he would not charge a fee for administering the fund. There would be quarterly reports provided. There would be a renewal letter 30 days before the premium is due Mr. Helsel said that the hospitalization needs renewed in late August for the Fall. Individual plans are available or group plan will be cheaper. If hospitalization is not provided by the Borough, then hospitalization can be obtained individually through the market place. He said that he has access to many carriers. Mayor asked which plan Mr. Helsel would recommend. Mr. Helsel said it would depend upon what you have now and what you want to do. He said he would sit down with Council and give options. Anita Smith explained what we have now. The police pension is set up for 25 years service and can be vested at 12 years. 401K can be funded with the Borough contributing matching funds. The first of the month is a good time to start whatever fund you decide upon. Cindy Dom asked about IRAs and whether the money is before or after taxes. Mr. Helsel answered that it could be either way depending on the individual's tax bracket.

MEETING MINUTES:

Motion to accept the meeting minutes from June 08, 2015, was made by Mark Wissinger, Jr. and seconded by Scott Miles. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

MAYOR & POLICE REPORT

The Mayor advised that Scott Miles would take care of the report. Scott Miles said that the Mayor and Police Committee met on June 18, 2015, and accepted Art Boring's resignation as Chief of Police and recommended that Jim Rigby be hired as Police Chief/Codes Enforcement Officer for a four-year term at the rate of \$18.00 per hour.. The second year it would be \$1.00 more per hour. At the Police Committee Meeting Art Boring's benefits were discussed. Solicitor to draft letter to Art about his last paid sick days. It was decided by the Police Committee that

there would be one full-time police officer , namely, Chief of Police, and all the other officers would be part-time. The Lieutenant's position would be eliminated. Part-time officers must work four (4) shifts per month. It was requested that the Solicitor write a letter to Lieutenant Matcho.

At this point Jim Rigby said he would abstain from the rest of the discussion and turned the meeting over to the Vice President, Mary Rose Shaffer. Then Scott Miles said that Chris Matcho was offered a part-time position and with his seniority would be able to be on the schedule. The Mayor said that Chris is waiting for a letter from the Borough as to his terms of employment. Mary Rose Shaffer said that Chris Matcho's agreement has expired and we extended it until August 1, 2015. Jim Rigby said everything was tabled as to the Police Chief because we did not have Art Boring's resignation. Mayor said we need to continue to pay Chris's salary until August 1, 2015. The motion was made by Scott Miles and seconded by Cindy Dom to accept Art Boring's resignation and to extend Chris Matcho's contract and continue the Lieutenant's pay until August 1, 2015. A rollcall was taken and all Councilmembers voted yes to accept Art Boring's resignation and continue Chris Matcho's pay at his current rate until August 1, 2015.

Scott Miles made the motion to offer the Chief of Police/Codes Officer to Jim Rigby at the rate of \$18.00 per hour for the term of four years and it was seconded by Dave Ziemba to accept all the Police Committee recommendations. A rollcall was taken. and all Councilmembers voted yes to appoint Jim Rigby as Chief of Police/Codes Officer. Ferndale Borough Council has now approved Jim Rigby as Police Chief.

Jim Rigby said at this time he would resign as Council President. He read his letter or resignation. Jim Rigby said that he ran for Council 24 years ago at the age of 31 and was a police officer and last June the ruling changed so that he could not hold both offices. He thanked everyone for allowing him to serve.

Councilwoman Mary Rose Shaffer contacted the Ferndale Borough Council by telephone with the following question: "Do you accept the Letter of Resignation from Art Boring as Ferndale Borough's Police Chief effective July 13, 2015?" The response was unanimous from all Councilpersons that they accepted the resignation. James Rigby -Yes, Mary Rose Shaffer-Yes, Cynthia Dom-Yes , Al Lushko-Yes, Scott Miles-Yes, Mark Wissinger, Jr.-Yes, David Ziemba-Yes.

Jim Rigby resigned as President of Ferndale Borough Council. He read his letter of resignation. He started 24 years ago as Policeman/Councilmember. He saw many projects to completion and is proud to have served Ferndale Borough. At that time he turned the meeting over to Mary Rose Shaffer as Vice President.

Mayor Dallape swore in Jim Rigby as Chief of Police/Codes Enforcement Officer .

Cindy Dom made the motion to nominate Mrs. Shaffer as President of Borough Council and Dave Ziemba seconded it. There was a rollcall vote and Cindy Dom, Scott Miles, Mark Wissinger, Jr., and Dave Ziemba voted yes. Therefore Mrs. Shaffer was appointed President of Borough Council for the remainder of Jim Rigby's term.

The motion was made to nominate Mark Wissinger as Vice President by Scott Miles. The motion to nominate Scott Miles as Vice President was made by Mark Wissinger and seconded by Cindy Dom. Scott Miles was appointed Vice President by majority vote.

Attorney Langerholc stated that we need to advertise about the vacancy on council within 30 days of vacancy according to PSAB rules. The Committee meeting on August 3, 2015, is within that timeframe and the Attorney said that we would not need a special meeting and that we could advertised on the Website of Ferndale Borough about the vacancy on Council and also advertised on the Borough buildings.

A motion was made to accept Jim Rigby's resignation by Cindy Dom and seconded by Mark Wissinger. All Councilmembers voted yes, therefore the motion passed unanimously.

ENGINEER'S REPORT:

CJL was not present. Mr. Muir of EADS Group, our pressure testing company, provided a report, but was not present. Jim Rigby said that he and Mark Muir went out to look at the Barnes & Saly Building, Allegheny Electric, and the Fireman's Building where there are problems. Eads will retest these buildings. There is a downspouting problem on the Fireman's Building. These buildings may need viewports at a later date. There are between 80-85 properties which need pressure tested as yet. A motion was made to accept the Engineer's Report by Mark Wissinger and seconded by Cindy Dom. All councilmembers voted yes, therefore the motion passed unanimously.

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

Mary Rose Shaffer said that all the Council received the Management Report and West Hill's Report either written or by e-mail. A motion was made by Scott Miles and seconded by Cindy Dom to accept these reports. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

EQUIPMENT STREETS TO BOROUGH PROPERTY REPORT:

Brian McAteer, Street Foreman, reported that he needs a new vibrator plate at the cost of \$1676.00. He said that his current one is from 1989 and does not work. He needs this for paving. A motion was made by Mark Wissinger and seconded by Cindy Dom to have Brian purchase the vibrator plate that he needs. All council members voted yes; therefore the motion passed unanimously.

Brakes were repaired on 2008 F350 at Sleeks. Jats installed new points, rotors, and condenser in Sweeper. Roxbury Tire installed tubes in front tires of Zero-turn Mower. Bought new teeth for Excavator Bucket..

Vickroy Avenue-changed parking back to original side of street.

Repaired broken viewport on Ferndale Avenue.

For Penn Machine, will be pipe bursting once both ends are opened. The cost is \$1400. This will save the Borough some money. Jim Rigby approved this amount.

Numerous trees were down on 500 block of Harlan, most were cut by Jordan Tree Service. The Street Department cut 2 trees on Harlan and 1 on Plainfield. One in the triangle is dangerous and needs to be looked at.

We replaced the Basin in front of Hershberger Ins. on Ferndale Avenue. It took 2 ½ days to jackhammer old basin out with our 2 electric jackhammers.

LED Traffic light was changed by Lichtenfels Nursery on their bucket truck on Ferndale Avenue at Station St.

We need new knives for the Wood chipper plus nuts and bolts, approximate cost \$250.00

A motion to accept Equipment/Streets & Borough Property Report was made by Cindy Dom and seconded by Dave Ziemba. All councilmembers voted yes; therefore the motion passed unanimously.

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TREES:

Scott Miles reported that a tree fell down on a car on Harlan Avenue but our insurance would not pay so the homeowner had to get the damage paid by his car insurance. Scott Miles said that he would like to get Jordan Tree Service to go through the Borough and check for dead trees. He would like to look into a grant from Penelec to take care of this. Penelec does this every four years. A tree at the corner of Station and Summit needs removed. There are 2 trees at Boston

near Wissinger's that needs checked. One at 609-611 Summit Avenue owned by .Dave Gerak and a Middle School tree. A discussion ensued about the trees on the hillside and the ground being so wet. 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.

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

Anita Smith gave her report and Mary Rose Shaffer asked if everyone looked over Anita's Smith reports. A motion was made by Dave (Red) Ziembra and seconded by Cindy Dom to accept the Accounts Payable Clerk Report + Bill List and Additional Bills + Tax Collectors Reports. All Councilmembers voted "Yes"; therefore, the motion passed unanimously.

FINANCE COMMITTEE REPORT:

Mary Rose Shaffer stated that we need to have the Change Orders by CJL no later than August and that Rhodes and Simon will help with securing the loan. Solicitor said that he would like to go to see CJL on Friday with Mary Rose Shaffer to see what can be accomplished. Mary Rose Shaffer said that she went to CJL unannounced and talked with Bill Patrick and he said that he would get to the Change Orders but he still has done nothing. The Mayor asked why we have to deal with CJL and Mary Rose said that CJL is the administrator of Penn Vest.

Mary Rose Shaffer reported that Barnes & Saly are just about finished with their audit. She stated that the books are worse in 2014 than the year before. Motion to accept the Finance Committee Report was made by Cindy Dom and seconded by Dave Ziembra. All Councilmembers voted "Yes"; therefore, the motion passed unanimously. Mrs. Shaffer stated that the Council received a thank you card from relatives of Alma for everything Council did for her. The Thank You card was signed by Lora Rosenthal and Kathy Ponchione.

SEWER-SEWER PROJECT:

Cindy Dom stated that we need to check on the progress of the Armory. She said she would like to go there and talk with someone. It was mentioned that on the website it is stated that the water shutoff will be October 1, 2015 according to our Ordinance 483. Jim Rigby said the Borough has to pay the water bill when it is shutoff and then to have it reconnected after pressure test is done, the residents would have to pay the Borough. The motion was made by Mark Wissinger, Jr., and seconded by Scott Miles to accept the Sewer-Sewer Project report. Scott Miles was concerned that we need to give lots of notice to residents before their water is shut off. Jim Rigby said that enough letters have been sent out so he thought that personal contact or a telephone call would be more effective for the people who have not connected. All the councilmembers voted Yes, therefore the motion passed unanimously.

PERSONNEL COMMITTEE REPORT:

No Report .

RECREATION REPORT:

Mark Wissinger, Jr stated that the slide was delivered. Perhaps we will wait until Spring to have it cemented. Motion to accept the Recreation report was made by Cindy Dom and seconded by Scott Miles. All Councilmember's voted "Yes"; therefore, the motion passed unanimously.

PUBLIC RELATIONS REPORT:

No report. Tribune reporter was waiting for interview with Jim Rigby for the 11:00 p.m. news, and to report the changes in Council and the letter of resignation of Art Boring in the newspaper.

OLD/NEW BUSINESS

Scott Miles as Chairman of the Police Committee wished to add that the Police Committee decided that the Police Department would consist of one full-time and all part-time officers. He stated that the committee wanted the Police Chief to also deal with codes as well as being the Police Chief. One of the candidates under consideration stated that he did not know the codes and would not do that job. The Solicitor is to send letter to Art Boring concerning his vacation pay.

Mary Rose Shaffer said that she wanted a motion presented for permission for the Fire Association to use the Park grounds for the Jubilee to be opened from 6:00 a.m. to 11:00 p.m., this motion was made by Cindy Dom and seconded by Scott Miles. All Council members voted Yes, therefore the motion passed unanimously. Fireworks will be provided. There was a motion to approve fireworks by Cindy Dom and seconded by Mark Wissinger, Jr., All councilmembers voted Yes, therefore, the motion passed unanimously.

ATTORNEY'S REPORT:

Attorney Wayne Langerholc was asked about the Dollar General. Jim Rigby said he needed to speak to the Manager. The Solicitor was asked about Laurel Municipal Inspection Agency and then the meeting went into Executive Session. The motion was made by Mark Wissinger, Jr. to accept Attorney's report and seconded by Dave Ziemba. All Councilmembers voted yes, therefore the motion passed unanimously.

ADJOURN

The Meeting adjourned at 9:00 p.m.

Respectfully submitted

Jackie Donate-Miller
Borough Secretary/Treasurer
(07/13/15)