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**CONYNGHAM BOROUGH COUNCIL WORK SESSION \*PAGE ONE\* SEPTEMBER 11, 2014**

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Conyngham Borough Council met in Work Session on Thursday, September 11, 2014 at 7:00 p.m. in Council Chambers, Municipal building, 215 Main Street, Conyngham, Pennsylvania. The meeting was called to order by President Gary Gregory, the Pledge of Allegiance was recited and roll call was taken.

**Present:** Fuccile, Gallagher, Gregory, Hawk, Jones, McKee, Schneider.

**Absent:** None.

**Others Present:** Mayor, Solicitor, Secretary, Treasurer.

**Absent:** None.

**Citizens:** Carol Ference, John Cotsack, Linda Grencavich, Maureen Susa, Ron Schadder, Shane Pettit, Charisa Reggie, Lacie McGowen.

**Public Comment:** None.

**Mayor:** This weekend the KOPS 5K Run/Walk is being held in Butler Township to benefit Hazleton, West Hazleton, Butler Township, Sugarloaf Township and Conyngham. Hopefully attendance is better this year. Funds will be used to purchase equipment. It begins at 7:30 am with the Kids run at 8:00 am and the 5K at 10:00 am. There will be free food all day and demonstrations by various police departments. Please show your presence.

The Italian Festival will be held this weekend at Community Park. Mayor Carrelli will be a part of the opening ceremony at 10:00 am and everyone is welcome.

The new speed limit signs are posted. A time and date will be selected for a press release to advise of the speed change, a warning/grace period will be held and then enforcement will begin.

The Police Report will be given at the meeting.

**Treasurer:** The Treasurer reviewed the August 2014 report in detail. A copy of the report is available for public inspection and is on file. A budget template is currently in development and a 2015 Budget Forecast will be prepared for the next work session.

Vice President Schneider asked if Council Department Heads should prepare wish lists for 2015.

Councilman Fuccile asked if the Treasurer is working on the EIT and Per Capita lists to ensure proper funds are going to Conyngham Borough.

**Solicitor:** The Parking Ordinance is ready to go. It has been drafted in such a way to correct errors in the previous Ordinance. Based on the Vice President and Engineer's recommendations additional parking spaces have been added to both sides of Main Street.

The Request for Proposal has been prepared to secure refinancing which would include a better rate and interest being earned on the General Fund checking account. In order to advertise the RFP the date of the October Meeting needs to be set.

October Regular Session to be held Tuesday, October 28, 2014 at 7:00 pm. The Secretary will advertise the change and the Solicitor will advertise the RFP.

**Valley Regional:** August had 1 Fire & Rescue call and 5 EMS calls for Conyngham Borough. The first Emergency Response drill was held last week and 5 attended from Conyngham. The responsibilities were divided. A practice planning meeting will be held on Monday, September 29, 2014 at 6:00 pm at the Borough office. Vice President Schneider encourages all of Council to attend. Conyngham is a sub-station of Butler and will run in twelve (12) hour shifts. Community Volunteers are needed and welcome to come September 29<sup>th</sup>. An actual drill will be held on Tuesday, October 21, 2014 at 6:00 pm which was why the October meeting needed to be changed.

Shane Pettit from Valley Regional gave a report to Council. Training will be held September 17, 2014 and October 15, 2014 at the Southside Station. Council is welcome to attend. November 22, 2014 training will be held at Joe Minzola's house for trench digging which will include Sugarloaf, Valley and Hazleton departments. Leaders of all of the communities are welcome.

Vice President Schneider asked who would be the person to speak to about work needed on the building next year – Bud Crawford.

**Recreation:** Councilman Jones stated the Parks and Recreation Committee is second to none. On October 18, 2014 from 12:00 pm – 2:00 pm Maylath Farms will be donating between 50 & 100 pumpkins for the kids to paint and decorate.

Rita Washick read an article about Children Safe at Play to keep our park smoke free. The signs are 12" x 18" of metal construction and say Young Lungs at Play Tobacco Free NEPA.

The Solicitor advised to ban smoking and enforce the rule an Ordinance must be passed but you do not need an Ordinance to post the signs.

Councilman Gallagher noted Council can designate a smoking area.

President Gregory feels smoking should be banned on and in all Borough property.

Kids Kudos first awards will be presented on Tuesday, September 16<sup>th</sup> with two girls as recipients.

Councilman Jones noted this is not a competitive program. Everyone who does a good deed shall be recognized and the program has been well received by the community.

Vice President Schneider stated the basketball nets at the park were in poor shape so his son donated new ones as thanks for the 18 years he spent there.

Vice President Schneider spoke with the Susa's to ensure Christmas in Conyngham would not conflict with the Holiday House Tour and the Living Nativity.

The bunting for the gazebo will be in the budget for next spring. Councilman Jones suggested waiting until spring to refurbish gazebo floor. Councilwoman Hawk questioned if the buntings are donated will the donors replace every five (5) years.

President Gregory commended the recreation programs – Kid Kudos, Christmas in Conyngham, Holiday House Tour, and Living Nativity. All the events should be placed in a newsletter. If anyone is interested in assisting with a newsletter please volunteer.

**Planning & Zoning:** The Solicitor advised during the Planning Commission's review of Shannon Tire they missed that it was two lots therefore they need a minor subdivision. To correct Planning's mistake a lot consolidation is required. Planning's review is needed and Council can approve at the October meeting. President Gregory suggested making the work session on October 9<sup>th</sup> a regular session so that Council can take action as soon as possible. To save on costs this ad can be combined with the October meeting date change to October 28, 2014.

Councilwoman Hawk questioned why Penn Dot is conducting a traffic study on SR 93. President Gregory requested the Secretary contact Penn Dot to find out.

**Conyngham-Sugarloaf Joint Municipal Authority:** Councilman Gallagher advised the Joint Authority met again on September 10, 2014 and everything is up and running. A certified letter was sent to the dissolved Authority to transfer the permits to CSJMA. They have not responded. That is the only thing required for CSJMA to take over. DEP is fine since the Joint Authority has a licensed operator in place.

A Court Hearing will be held September 15, 2014 to address the transfer of assets. The CBA has spent over \$140,000.00 since January on legal fees to prevent dissolution. Engineering money is being spent on an Act 537 that will not go anywhere since Sugarloaf Township's signature is required. The Township voted 3-0 and Council voted 7-0 to form Joint Authority.

CSJMA will be linked to the Borough and Sugarloaf websites to provide the citizens with rates, tap on fees and meeting minutes.

The Borough has received an Absolute Final Notice to shut off Borough water. Mr. Rizzo made it clear they would red tag us, however turning off the hydrants is not a good idea.

Councilman Gallagher did research and the Borough can save money with bottled water.

President Gregory noted the CBA always has the best interest of the citizens.

Councilman Jones questioned whether or not the public can use the building if the water is shut off.

Councilman Gallagher used the analogy its absurd, like a dispute between a parent and a child. It's ridiculous.

The Solicitor stated it's a travesty of justice.

President Gregory stated the rogue Authority has spent \$140,000.00 on legal fees and \$180,000.00 on

engineering fees. There is no reason for this. This can all be resolved with the stroke of a pen.

The Solicitor added Council needs to demand this be resolved. The law is clear. The Authority is dissolved.

Vice President Schneider added the Authority doesn't care.

Councilman Gallagher stated the Authority is looking at minor technicalities and creating questions. They made four (4) motions for their Solicitor to do additional work. The Solicitor is paid \$18,000.00 plus an additional \$15,000.00 for litigation.

Councilman Jones asked if CBA shuts off the water can Council tell the workers to cease and desist. The Solicitor advised not to confront the CBA employees.

Vice President Schneider questioned why we allow the CBA to continue to use our meeting room to put on a dog and pony show. He is requesting a motion at the meeting to cease allowing CBA to use the Borough building. Councilman Fuccile agrees.

Councilwoman Hawk questioned why the Attorneys can't just tell them this is the way it is.

Councilman Fuccile questioned how the CBA can come up with a \$600,000.00 solution for the Meadows without looking into any other options.

President Gregory noted the CBA's own legal briefs never say the Borough can't do what they're doing. CSJMA will move in when lawsuit is cleared up. The Borough received a grant to upgrade 245 Main Street.

President Gregory would like a motion on Tuesday's agenda to authorize the Solicitor to find the \$80,000.00 the Borough transferred to the Authority at the end of 2013.

**Streets & Property:** Councilman Fuccile advised the water line is leaking at Whispering Willows and Klesh Plumbing will replace. The Mayor added part of the pipe is hooked to the bridge and DEP won't allow it to be dug up.

Quotes are being solicited to repair Edge Trail. One contractor will use our men and our equipment.

Councilman Fuccile added he is working with the Engineer to secure a grant for the school walkway on Edge Trail.

Councilman McKee stated that the construction company started work at 245 Main Street.

The Solicitor advised that in order to avoid more hearings and additional attorney fees he suggested the BCO meet with Peters Consulting to work out their differences and they agreed to address violations and come into compliance however BCO should have notified Council.

Councilman Gallagher noted the grant for the rain garden is for 245 Main Street.

Council will get in touch with the BCO to rectify this situation.

Councilman Gallagher asked if anyone from the Borough received a letter from the CBA regarding a manhole on Willow Street. The Borough did not.

**Grants:** The final bill has been submitted to close out the 2012 Community Block Grant. Information has been submitted for the 2015 Community Block Grant in the amount of \$100,000.00 to begin Phase I of Streetscape from Sugarloaf Avenue to the Post Office.

Council is still waiting to hear on the ARLE grant to put sidewalks on Sugarloaf Avenue and two grants to extend Bishop Trails.

Councilman Gallagher did some research and he contacted Mr. Koch to work with the Borough on having flags placed through the town.

Two bids have been received on Street Banners. They are canvas, 30" X 60" and cost approximately \$250.00 per banner. Welcome to Conyngham with a ship in honor of Gustavus Conyngham. There is space for sponsor's names.

Councilman Jones questioned if PPL has been contacted regarding hanging the banners on the poles.

President Gregory advised we need to prepare for the next gaming grant for Phase II of Streetscape.

**Shade Tree:** Nothing at this time.

**COG:** Nothing at this time.

**Police Committee:** Councilman Gallagher suggested a crosswalk be placed at the Lutheran Church and Historical Society for safety.

Councilman Gallagher has had issues at the park with kids skateboarding on tables and had called 911. Officer Saullo responded quickly however he was alone with a large group of kids. Council should meet with the Chief to discuss protocol.

Councilwoman Hawk asked if cameras are utilized.

President Gregory noted that we are getting into issues that should be discussed in Executive Session since they involve personnel.

**Parking Committee:** Discussed under the Solicitor.

**New Business:** Charisa Reggie and Lacie McGowen spoke on Christmas in Conyngham. They would like to book a date that does not conflict with any other programs. The event will be tentatively scheduled for December 12, 2014 with a make-up date of December 13, 2014. This will coincide with the Borough's tree lighting and ice carving. Ann Marie's School of dance will parade. This year they will expand the vendors and request police assistance with the parade. The Rec Board

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is already working with Reggie/McGowen on event. The next Rec Board meeting is October 14, 2014 at 5:00 pm.

**Old Business:** CVCO Halloween Parade – The Mayor has not been contacted.

**Catch All:** None.

**Public Comment:** Maureen Susa – what is the status of the Verizon tower? Councilman Gallagher advised they are still in negotiations.

Linda Grenavich would like to know how the park program profit is put back into the program. Vice President Schneider advised a report will be given at the Regular Session.

Ron Schadder – Are the new speed signs going to meet Penn Dot specifications? Councilman Fuccile responded posts are okay.

President Gregory requested Councilman Fuccile contact to Sugarloaf Township to authorize placement of “Reduced Speed Ahead” signs in Sugarloaf. Councilman Fuccile noted the Chief stated the signs were not necessary however he will look into them.

President Gregory announced Council would be going into Executive Session after the work session for personnel.

Motion to Adjourn @ 8:52 pm – Hawk. Second – Fuccile. Unanimous.

**ATTEST:**

  
Secretary