

CONYNGHAM BOROUGH COUNCIL REGULAR SESSION  
Tuesday, November 18, 2014

Conyngham Borough Council met in Regular Session on Tuesday, November 18, 2014 at 7:03 p.m. in Council Chambers, Municipal building, 215 Main Street, Conyngham, Pennsylvania. The meeting was called to order by Council President Gary Gregory, the Pledge of Allegiance was recited and roll call was taken.

**Roll Call:**

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

**Absent:** None.

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

**Absent:** Mayor Carrelli.

**Citizens:** John Cotsack, Tim Ference, Linda Grenavich.

**Public Comment:** None.

**Approval of Minutes:**

**Motion**

Motion to Approve Minutes from Regular Session, October 28, 2014 - Gallagher. Second - Fuccile.

No Roll Call – Unanimous.

**Mayor:** Absent. No Police Report.

**Treasurer:**

**Motion**

Motion to Accept the October 2014 Treasurer’s Report - Gregory. Second – Jones.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

Treasurer Blasé would request a Motion to approve the list of obligations in the amount of \$60,756.05.

President Gregory requested Council take a moment to review the payables.

**Questions on the Request:** Vice President Schneider questioned if the \$-0- amount of the list of payables meant no bills were incurred by that vendor during the month. Treasurer – Correct.

Councilman Gallagher questioned the purchase of the new police equipment.

Purchases were made from proceeds of 2014 KOPS Run however the check has not been received by the Borough; the Mayor is in receipt of it.

Vice President Schneider questioned why Council was not asked for approval prior to purchase.

President Gregory added that that Mayor is not authorized to receive or sign for purchases.

**Motion**

Motion to Approve the Bills with the exception of the 2014 KOPS Run purchases until such time payment is received - Gallagher. Second – Schneider.

**Questions on the Motion:** Councilwoman Hawk would like the check from the KOPS Run presented to the Borough.

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Treasurer Blasé will write the Mayor on depositing funds.

President Gregory questioned whether purchase orders were required. The Solicitor suggested a meeting be held with the Chief and Mayor.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

**Solicitor:** The Loan RFP is still under negotiations for a better rate and return.

The Solicitor recommends Council bid out Labor and Equipment Rates for 2015-2016 which is something typically done by municipalities to save money. In the event of an emergency there is no time for competitive bidding so this provision allows that work can be completed at a cheaper rate.

President Gregory noted that for the Brookhill project it was difficult to find bidders and this will eliminate that problem.

Currently Hazle Township, Foster Township and White Haven utilize the bidding process.

Councilwoman Hawk questioned what if the contractor is too busy. The Solicitor replied that as part of the bid they must be available to the Borough.

Councilman Gallagher equated the process to emergency road service where they must respond in a certain amount of time.

**Motion**

Motion to Advertise Bids for Labor and Equipment Rates for 2015-2016 – Gallagher. Second – Gregory.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

**Valley Regional:** There were two Fire and Rescue calls for the month of October. Engines 1 & 2 provided lighting to Conyngham for Safe Trick or Treat. Kudos to them.

President Gregory requesting inviting the Valley Regional Board to the December 8, 2014 budget meeting to discuss the Fire Service Agreement. At the December 1, 2014 budget meeting Jessica Stambaugh will be on hand to discuss Healthcare options.

The Solicitor will have a representative on hand December 8, 2014 to discuss the Penn Dot loan program for the resurfacing of roads utilizing liquid fuels funding to pay for loan.

**Motion**

Motion to Advertise December 1, 2014 & December 8, 2014 for Budget Meetings – Gregory. Second – Fuccile.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

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**Recreation:** Councilmen Jones & Fuccile would like to paint arrows to indicate one way in & out at Whispering Willows Park along with a Do Not Enter sign near PNC Stop sign.

President Gregory advised the Borough has a 6' or 8' Right-of-Way.

**Motion**

Motion to Approve 2014/2015 Valley West Little League Board Meeting Schedule – Jones. Second – Schneider.

**Questions on the Motion:** None.

No Roll Call. Unanimous.

Living Nativity will be held December 6<sup>th</sup> & 7<sup>th</sup> with a live camel.

Christmas in Conyngham will be held on December 12<sup>th</sup>. The Recreation Board will coordinate the power for the vendors with CVCO.

**Planning & Zoning:** Next Planning Meeting will be held December 2, 2014 at 7:00 PM. In order to facilitate Pittinger deadline of December 11, 2014 the December 8, 2014 Budget Meeting will be scheduled as a Regular Session.

**Motion**

Motion to Include General Business on December 1, 2014 & December 8, 2014 and Advertise – Gregory. Second – Gallagher.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

**Conyngham-Sugarloaf Joint Municipal Authority:** Meetings are held every 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of the month however the second meeting for November has been cancelled. CSJMA is moving forward with DEP to take over the permits. Actions have been undertaken to facilitate the process.

**Streets & Property:**

**Motion**

Motion to Approve Reilly Associates Detour Request SR 3034 Section 350 – Gregory. Second – Fuccile.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

Councilman Fuccile advised the Christmas in Conyngham Committee need to let the Borough know the amount of electricity needed for each vendor. The Christmas tree lights will be installed. President Gregory noted commercial grade LED lights were purchased to conserve energy.

The Recreation Board will host tree lighting on November 30, 2014 with hot chocolate and donuts.

Leaf collection will continue until the leaves are picked up however residents have been advised that Friday, November 21, 2014 is the last day to put out leaves.

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**Grants:** The interim report for the WREN grant was submitted on November 14, 2014. Initial amount has not been expended.

Notification was received today that the Borough did not receive the ARLE grant for Sugarloaf Avenue.

All the paperwork has been received for the LSA grant and the contacts have been revised to reflect new officials. Primary contacts are President Gregory and Councilman Gallagher. The Borough can seek reimbursement from the \$163,000.00 funds for building renovations already completed. The scope can also be modified for the remaining renovations.

Solicitor recommended submitting the Sugarloaf Avenue project for the upcoming LSA Grant.

Luzerne County Block Grant will be awarded soon.

President Gregory noted that it was stated in the letter the Borough received regarding the ARLE grant that the project submitted was worthwhile and should be considered.

It is the Solicitor's recommendation to submit as joint grant with Sugarloaf for LSA funding which would require a co-op agreement.

President Gregory added that the paving at the end of Sugarloaf Avenue should be tied in as well.

**Motion**

Motion to proceed with Sugarloaf Avenue project for application to LSA Grant in cooperation with Sugarloaf Township – Gallagher. Second – Jones.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

**Shade Tree:** Discussion ensued over the tree trimming since two trees scheduled for removal were not taken down. Councilman Jones noted the workers were relocated due to severe storms.

Councilman Gallagher will submit for tree maintenance grants which are matching grants.

**COG:** Report was given on the Municipal Auction. \$3,300.00 was raised for the COG. MCOG is one of a few COGs that do not pay dues. The municipal auction will be held again in 2015. Members have been invited to attend a Land Bank and Blight Summit on December 3, 2014 @ 6:30 pm at Penn State Hazleton Campus. The second event is an informational meeting regarding Luzerne County's decision to allow municipalities to keep 100% of the money recovered from delinquent tax collection at the Pines Restaurant @ 6:00 pm on December 10, 2014. Vice President Schneider explained that years ago a percentage was withheld from the municipalities however now they are proposing the collection fee be passed on to the delinquent taxpayer.

**Police Committee:** Councilwoman Hawk feels the part time hours of the police department should be reduced to 25 hrs. Discussion will continue at the December 8, 2014 session with the Mayor and Police.

Discussion ensued on inviting the Mayor and Chief to December 8, 2014 meeting. The attendance of the Mayor was in question.

**Motion**

Motion to formally invite the Police Chief and Mayor to December 8, 2014 meeting – Gallagher. Second – Jones. No Roll Call. Unanimous.

Councilman Gallagher will continue to pursue pedestrian yield signs and crosswalk between Lutheran Church and Historical Society.

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**Pension & Insurance:**

**Motion**

Motion to Table Blue Cross Renewal – Gregory. Second – Hawk. No Roll Call. Unanimous.

**New Business:** No action taken on 2015 Solvency Fee.

President Gregory explained the Northeastern Pennsylvania Alliance and the benefits they provide to the municipalities including LTAP and Grants. An invitation will be extended to NEPA to come and address Council regarding the benefits they provide.

**Motion**

Motion to Renew NEPA Membership for 2015 – Gregory. Second – Schneider.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Fuccile</b>	-	<b>Affirmative</b>	<b>Gallagher</b>	-	<b>Affirmative</b>
<b>Gregory</b>	-	<b>Affirmative</b>	<b>Hawk</b>	-	<b>Affirmative</b>
<b>Jones</b>	-	<b>Affirmative</b>	<b>McKee</b>	-	<b>Affirmative</b>
<b>Schneider</b>	-	<b>Affirmative</b>			

**Old Business:** Councilwoman Hawk questioned why the Electricity budget was increased by 3%. Contract was signed with Mr. Clifford why would cost increase. President Gregory advised transmission fees can go up. Treasurer Blasé will continue to look at figures.

President Gregory advised Council will continue to replace lights with LED's.

Councilwoman Hawk questioned if we have received the subpoenas and set a hearing date. Solicitor advised due to budget meetings, work session, regular meeting and potentially special meeting the hearing will be held in January however records can be subpoenaed now. Discussion ensued over the subpoenas. Councilman Gallagher added the CBA has been pushing to be reimbursed by the LSA Grant for work completed.

President Gregory advised the Complaint has been filed against Rizzo, Temborski and Powell on November 10, 2014 therefore this issue may be resolved prior to subpoena hearing.

Vice President Schneider advised Council must follow through.

Solicitor will prepare subpoena for documents for the President's signature with 20 day response time.

President Gregory would like to set up a meeting with Ms. Manchell from Verizon Wireless to invite them to the December 8, 2014 meeting. Solicitor reviewed proposed lease.

Councilman Fuccile questioned whether this can be set up as a committee meeting and report back to Council. Committee will be comprised of President Gregory, Councilman Gallagher and Councilman Jones.

**Catch-All:** Councilwoman Hawk questioned the correspondence received regarding citizen's requests for EDUs.

President Gregory explained that at the CBA meeting it was stated they do have 3-4 EDUs.

Councilman Gallagher added two requests have been received. The Peters' Estate made a request for additional EDUs to make the property more marketable. The second request was from the Cara family regarding a proposed subdivision in need of EDUs that were acquired previously from Sugarloaf.

Discussion ensued over the transfer of EDUs between Sugarloaf and Conyngham which will no longer be an issue when the Joint Authority takes over.

President Gregory requested clarification on the amount of EDUs remaining. Councilman Gallagher will approach DEP to determine available EDUs.

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President Gregory requested a step by step process of the procedures for development be drawn up so the residents have a clear understanding of what is expected of them.


Solicitor stated the most alarming part of this situation is that between two communities four new homes are proposed for development however the development is being stifled by the CBA over EDUs.

**Public Comment:** Carol Zamba gave a brief overview of the feral cat program. Twenty eight feral cats were spayed or neutered during five clinics between August and October. Eighteen of the operations were funded by public donations while ten animals were funded privately. This program has brought the feral cat population into a controllable situation. Ms. Zamba requested \$500.00 be placed in the budget for 2015 for the program. Pet owners were reminded that if they allow there cats to roam outdoors they must wear a collar to distinguish them from the feral cats.

Councilwoman Hawk thanked Ms. Zamba for her efforts. Discussion ensued over the spay/neuter program versus vector control as well as the use of public funds for the program.

Motion to Adjourn @ 8:48 PM – Gallagher. Second - Jones. Unanimous.

**ATTEST:**

  
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Secretary