

CONYNGHAM BOROUGH COUNCIL CONTINUED SESSION
Wednesday, April 27, 2016

Conyngham Borough Council met in Continued Session on Wednesday, April 27, 2016 at 6:36 p.m. in Council Chambers, Municipal building, 215 Main Street, Conyngham, Pennsylvania. The meeting was called back to order by Council President Gary Gregory and roll call was taken.

Roll Call:

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

Absent: Hawk.

Others Present: Solicitor, Secretary, Treasurer.

Absent: Mayor, Junior Councilmen Oswald & Marushin.

Citizens: Rita Washick, Thomas Licurgo, Ray Croker.

Public Comment: None.

Junior Councilmen: Absent.

Mayor: Absent.

Treasurer: Treasurer Blasé received three quotes to finance 2015 Ford F-650 Dump Truck. Quotes are on file. Solicitor recommended soliciting RFP of loan terms and conditions.

Motion

Motion to Authorize Purchase of 2015 Ford F-650 from Fred Beans Ford \$69,148.55 - Fuccile.
Second - Jones.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Solicitor: Benesch Bid Specifications for Main Street Streetscape have been received and were previously approved for advertisement.

PPL Street Light Service Agreement, Resolution and Certification have been reviewed by the Solicitor for the LED trial.

Motion

Motion to Approve PPL Street Light Service Agreement, Resolution 6 of 2016 & Certification - Schneider. Second - Gregory.

Questions on the Motion: Councilman Fuccile questioned whether the Borough can pick fixture – No.

ROLL CALL VOTE:

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

The Solicitor prepared a Rental Agreement for the Gazebo and/or Pavilion for Council's consideration. Copies will be distributed before the next Work Session. The Parks and Recreation Committee worked on rental policy as well.

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Motion

Motion to Approve Pavilion Use Request for Yoga with VWLL Saturdays from April 30th through June 4th with the Stipulation Group is Responsible for Moving Picnic Tables - Gregory. Second - Jones.

Questions on the Motion: None.

No Roll Call. Unanimous.

The Solicitor advised Council the CBA Transition Closeout is targeted for May 31, 2016. In order to prepare deed transfers he needs to know the Borough's intentions regarding real property located at 245 Main Street. Deed currently has a Reverter Clause which would transfer ownership back to Borough. The Borough currently has two options they can accept conveyance and lease front half of the building to the newly formed CSJMA or they can subdivide with CSJMA owning front half and Borough owning back half. It is in the Borough's best interest to either own entire property or subdivide.

Council broke for an Executive Session for Potential Litigation at 7:07 pm.

Meeting called back to order at 7:30 pm.

Motion

Motion to Accept Conveyance of 245 Main Street and Subdivide with Front Half Owned by CSJMA and Back Half owned by Conyngham Borough with Reverter Clause if CSJMA Should Cease to Exist - Fuccile. Second - Jones.

Public Comment – Rita Washick questioned usage of front half of building – Same as current operation – CSJMA Offices.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Motion

Motion to Enter into Lease Agreement with CSJMA for Parcel of Land for Verizon Cell Tower with Profits to be Split 50/50 by Conyngham Borough and Sugarloaf Township - Fuccile. Second - McKee.

Public Comment: Fred Blasé questioned if land was located in Sugarloaf Township – Yes.

Questions on the Motion: None.

ROLL CALL VOTE:

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

The Borough has the opportunity to enter into an Agreement of Sale to purchase real property located at 60 Butler Avenue owned by the George Estate which would provide access to the park with an extension of Frederick Drive as well as serve as a potential Community/Recreation Center for the Borough.

A purchase price was discussed in Executive Session which is allowed under Section 708 of the Borough Code. Once the Borough enters into an Agreement of Sale the purchase price will become public.

Motion

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Motion to Allow the Office of Attorney Donald G. Karpowich to Submit an Offer to Purchase Real Property Located at 60 Butler Drive - Gregory. Second – Fuccile.

Public Comment: Ray Croker questioned how the Borough intended to pay for purchase. The Solicitor advised the Borough can apply for a 40 Year Low Interest Loan through USDA.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Motion

Motion to Explore USDA Loan Application for Purchase of Real Property and 11 Acres - Schneider. Second – Fuccile.

Public Comment: None.

Questions on the Motion: Councilman Gallagher questioned if the Land Acquisition Grant was received can the Borough use the money for upgrades – Yes.

ROLL CALL VOTE:

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

New Business: Due to a massive sewer blockage caused by paper towels the borough would like to install hand dryers in both bathrooms at Whispering Willows however in order to do so the electric will need to be upgraded to a 200 amp service.

Motion

Motion to Approve Purchase & Installation of Hand Dryers and Electrical Upgrade as Recommended by Councilmen Fuccile, Jones & McKee- Gregory. Second - McKee.

Public Comment: Rita Washick is pleased with decision. Vice President Schneider stated cameras should be installed. He will contact Valley West Little League to explore proposal.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Councilman Jones advised Council registration for the 2016 Park Program will be held on Wednesday, May 4th & Thursday, May 26th from 6:00pm – 8:00pm at the Borough Building. The program will run from June 20th through July 29th and it is Councilman Jones' recommendation that the fee remain at \$120.00 per child and be non-refundable.

Motion

Motion to Approve \$120.00 Non-Refundable Park Program Registration Fee - Gregory. Second - Schneider.

Public Comment: None.

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Questions on the Motion: None.

ROLL CALL VOTE:

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

Vice President Schneider advised the Buntings have been hung on the gazebo and Hometown Hero Banners are up. There is an interest in continuing the Hometown Hero Program.

Councilman Gallagher reviewed the list of additional poles provided by William Barber of Frontier. There are twenty three (23) new poles available for additional Hometown Hero banners located on Sugarloaf Avenue, Butler Avenue and Main Street. The downtown area will be reserved for Welcome Banners. The cost for Hometown Hero banners will remain at \$240.00 per banner. Councilman Jones will relay the information to the committee.

Motion

Motion to Approve Hometown Hero Banner Project Phase II Consisting of 23 Additional Banners - Gallagher. Second - Schneider.

Questions on the Motion: Councilman Jones questioned option of utilizing PPL poles. President Gregory questioned how Phase II will be communicated & allocated. Councilman Jones will address with committee.

ROLL CALL VOTE:

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

Old Business: Rita Washick presented Council with a Purchase Order to purchase an Expression Swing for Whispering Willows which has been recommended by the Recreation Board.

Motion

Motion to Approve Purchase of Expression Swing & Frame - Jones. Second - Gregory.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Councilman Gallagher noted three applications were received for Conflict UCC Inspector for project at 245 Main Street – Nocchi, Benesch & Frace.

Motion

Motion to Approve Tino Nocchi as Conflict UCC Inspector for Borough - Gallagher. Second - Jones.

Public Comment: None.

Questions on the Motion: Councilman Fuccile questioned fees – Solicitor replied same as Isett.

ROLL CALL VOTE:

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

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The Zoning Report was read into the record. There was one (1) permit issued, six (6) concerns addressed and six (6) actions taken.

To date the Borough did not receive Notice of Appeal on Dollar General.

Catch All: Vice President Schneider reminded Council of the Municipal Training provided by Talen Energy. Butler Township will be attending the July 13, 2016 class at the EOC in Wilkes-Barre. Please RSVP to Vice President Schneider by the May Work Session if attending.

Robert Tarapchak has resigned as Emergency Management Coordinator and will be replaced by Nancy Bishop.

President Gregory advised he has an additional Building Use request for an IEP Clinic to be held at the Borough.

Motion

Motion to Approve Decoding Dyslexia PA IEP Clinic Building Use Wednesday, May 11, 2016 5:00 pm – 8:00 pm -Gregory. Second - Gallagher.

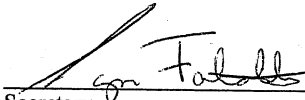
Questions on the Motion: None.

No Roll Call. Unanimous.

Public Comment: None.

Motion to Adjourn at 8:15 pm - Fuccile. Second – Jones. No Roll Call. Unanimous.

ATTEST:


Secretary