

CONYNGHAM BOROUGH COUNCIL REGULAR SESSION
Thursday, October 13, 2016

Conyngham Borough Council met in Regular Session on Thursday, October 13, 2016 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, McKee, Schneider.

Absent: Hawk, Jones.

Others Present: Mayor, Solicitor, Secretary, Treasurer.

Absent: None.

Citizens: Jarod Paisley, Linda Grenavich, Carol Ference, Dolores Brosk, CA Zamba.

Public Hearing: The Solicitor advised Ordinance 301 for Adoption of 2015 International Property Maintenance Code has been duly advertised for adoption this evening. The Code provides Borough Code Enforcement clear guidelines. The Enforcement Officer feels it is prudent for the Borough to adopt due to the fact that this code is extremely comprehensive and addresses many issues not covered by existing Borough Ordinances. President Gregory stated it is a preventative measure and in the best interest of public safety.

Public Comment on Ordinance 301: None.

The Public Hearing is closed.

President Gregory advised the citizen's the meeting is being held this evening due to a Federal Emergency Management Drill being held Tuesday, October 18, 2016.

Public Comment: Linda Grenavich questioned when paving is to be completed at the Post Office – Engineer advised paving to be completed Wednesday, October 19, 2016.

Approval of Minutes:

Motion

Motion to Approve Minutes from Regular Session September 20, 2016 - Gallagher. Second – Fuccile.

Questions on the Motion: None.

No Roll Call. Unanimous.

Engineer: An update was provided on Phase I of Main Street Streetscape. Paving will be completed Wednesday, October 19th, trees have been installed today, conduit has been installed, street lights will be installed November 4th – 8th, top soil and seeding to be completed. Councilman Gallagher recommended coordinating power with fountain installation. President Gregory noted Streetscape Phase I has been completed utilizing \$184,500.00 in Luzerne County Community Development Block Grant funding sidewalks, curbing, decorative lighting and shade trees. He thanked the citizens for enduring the inconvenience of construction.

Mayor: The Mayor advised the Police Report is not available at this time and will be distributed in Council's mail boxes.

Treasurer: The September report was reviewed in detail. A copy of the report is available for public inspection and is on file.

Motion

Motion to Accept the September 2016 Treasurer's Report – Gregory. Second – Schneider.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Absent

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Jones - Absent McKee - Affirmative
Schneider - Affirmative

Treasurer Blasé requested a Motion to approve the list of obligations in the amount of \$119,207.31.

Motion

Motion to Approve the Bills- Gallagher. Second – Fuccile.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Treasurer Blasé is preparing the USDA loan application for 60 Butler Avenue and the adjoining land acquisition however cost estimates are required by State and Federal Government.

Lynn Kesselman of Kesselman Architectural Design, LLC has volunteered to come down and tour 60 Butler Avenue. He provided a proposal for Phase I of the architectural design which will provide two schematic designs with prices. The base price can be utilized for the loan application.

Motion

Motion to Approve Kesselman Architectural Design, LLC \$4,400.00 – Fuccile. Second –McKee.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Solicitor: Two proposals were received for UCC Inspection Services from Alfred Benesch & Company and Larry C. Frace Inspections, LLC. Council will review and consider appointment at November meeting.

Motion

Motion to Adopt Ordinance 301 Adopting the 2015 International Property Maintenance Code - Schneider. Second – Fuccile.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Motion

Motion to Approve LC CDBG Certification Request for Payment #5 for \$30,443.38 - Fuccile. Second – Gallagher.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile - Affirmative Gallagher - Affirmative
Gregory - Affirmative Hawk - Absent

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Jones - Absent McKee - Affirmative
Schneider - Affirmative

Motion

Motion to Approve LSA Grant Drawdown #4 for 245 Main Street for \$32,686.92 - Gregory. Second - McKee.

Questions on the Motion: Chairman Gallagher noted this LSA grant was for energy efficient windows and lighting, installation of a 2nd overhead door and roof replacement.

ROLL CALL VOTE:

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

Motion

Motion to Approve LC CDBG Grant Increase of \$29,500.00 - Gregory. Second - Gallagher.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Motion

Motion to Approve Angelo Change Order 1-4 for \$21,693.00 - Schneider. Second - Gregory.

Questions on the Motion: President Gregory noted changes are for grading, driveways, steps and underground conduit.

ROLL CALL VOTE:

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

Motion

Motion to Approve Benesch Engineering Supplemental in the Amount of \$7,500.00 - Fuccile. Second - Gregory.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Motion

Motion to Execute Pennsy Contract in the Amount of \$167,318.15 and Notice to Proceed for Brookhill Road Improvements - Fuccile. Second - McKee.

Public Comment: None.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile - Affirmative Gallagher - Affirmative

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

A meeting will be set up with the Engineer and DPW Committee to determine how remaining grant funding will be utilized in Brookhill. There is the potential to extend paving on Sidehill Trail and install bike paths. Councilman Gallagher requested bike paths be coordinated with CSJMA to alleviate problems with laterals.

Fire, Rescue & EMA: Conyngham had one (1) Fire and Rescue call and seven (7) EMS calls for the month of September.

Council will attend Federal Emergency Exercise on Tuesday, October 18, 2016 at Butler Township.

Luzerne County has changed 911 response times from nine (9) minutes to six (6) minutes.

Recreation: The Recreation Board will host Pumpkin Art in the Park on October 22, 2016 from 12:00 pm to 2:00 pm. The fountain installation has begun and the tree has been relocated.

The third annual Christmas in Conyngham will be held December 10, 2016 with a 5K race, parade and festivities.

Motion

Motion to Approve CVCO Halloween Parade October 23, 2016 @1:00 pm - Gregory. Second – Fuccile.

Questions on the Motion: None.

No Roll Call. Unanimous.

Motion

Motion to Approve Christmas in Conyngham Meetings Sunday 7:00 pm – 8:00 pm October through December 10, 2016 - Gregory. Second – Gallagher.

Questions on the Motion: None.

No Roll Call. Unanimous.

Motion

Motion to Approve Building Use VWLL October 19, 2016 @7:30 pm - Schneider. Second – Fuccile.

Questions on the Motion: None.

No Roll Call. Unanimous.

Camera Installation at Whispering Willows is in the planning stages. Cooperation is needed between VWLL, CVCO and CSJMA. Councilman Gallagher has given quotes to an independent outside resource to work with our Police Department in providing an unbiased opinion as to the best option for the Borough. The goal is to have a recommendation for the November meeting. Camera equipment can be housed at the CSJMA well house.

Planning & Zoning: The Zoning Report was read into the record. There were five (5) permits issued and eight (8) concerns addressed/actions taken.

Code Officer Byorek has requested Council consider adopting an Ordinance to prohibit residents from obstructing parking spaces.

Motion

Motion to Appoint Anita Reber to Uniform Construction Code Appeal Board Term Expiring 12/31/18 - Gallagher. Second – Gregory.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Department of Public Works: President Grégory advised residents the Department of Public Works employees are ready to begin leaf pick up. A notification will be in the Community News. Councilman McKee advised over hanging brush is being removed to widen streets and enhance visibility.

Discussion ensued regarding the LC CDBG surplus of \$1,002.00. It is the recommendation to utilize the remaining funds for lights and banners.

Motion

Motion to Approve Utilization of Additional LC CDBG Funding in the Amount of \$1,002.00 for Decorative Lighting & Banners Pending County Approval- Gallagher. Second – McKee.

Public Comment: None.

Questions on the Motion: None.

ROLL CALL VOTE:

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

Buildings & Grounds: Nothing at this time.

Grants: Master Plan work is underway. Contact information has been provided to the Engineer and a meeting will be set up shortly.

LSA Grant for 245 Main Street and LC CDBG Main Street Streetscape are nearing completion.

The Stormwater grant for \$500,000.00 of improvements will be submitted by October 31, 2016.

Police: Contract negotiations are underway. The Mayor and Police Committee have held preliminary discussions.

The Police Committee may want to be involved in the security cameras for the park.

New Business: Councilman Gallagher stated CSJMA has met with DEP to move forward with Act 537. Five years ago an Act 537 Plan had been technically reviewed by DEP however comments were never addressed. Since the old plan is out of date Entech Engineering has developed a Task Activity Report (TAR) to prepare current Act 537. Conyngham and Sugarloaf must approve TAR for submission.

Motion

Motion to Approve Entech Engineering TAR in the Amount of \$144,505.00 - Gregory. Second – Schneider.

Questions on the Motion: None.

Public Comment: Carol Ann Zamba – was any of the work in TAR previously done – Yes. Is it outdated –Yes.

ROLL CALL VOTE:

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

The Borough will provide a letter to DEP authorizing CSJMA to apply for grants for reimbursement.

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Old Business: None.

Catch-All: Vice President Schneider questioned installation of LED Street Lights. President Gregory advised they will be installed shortly in all lights except decorative lighting.

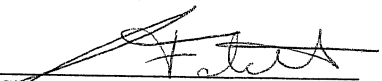
Public Comment: Carol Ann Zamba (CAZ) questioned why the Borough decided to implement the International Property Maintenance Code at this time. President Gregory replied it was a proactive measure to provide our Code Officer the tools to do his job. CAZ also questioned if it is redundant with current Ordinances – No; Does IPMC affect ability to change zoning – No; Who implements Code – Mr. Byorek & Solicitor.

Dolores Brosk reiterated her concerns for the new sidewalks being installed on Sugarloaf Avenue. She would like an exemption from snow removal and possibly signage stating “No Winter Maintenance”.

Motion to Adjourn @ 8:50 pm – Schneider. Second – Fuccile.

No Roll Call. Unanimous.

ATTEST:


Secretary