

MUNICIPALITY OF KINGSTON TOWN COUNCIL

MONTHLY COUNCIL MEETING

FEBRUARY 4, 2019

MINUTES

A regular meeting of the Town Council of the Municipality of Kingston was held in Council Chambers, 500 Wyoming Avenue, Kingston, Pennsylvania, on Monday, February 4, 2019, at 7:00 p.m.

The following members of Council were present.

Mr. Robert Thompson, Jr. – President

Mr. Rob Jacobs, Vice President

Mr. Jack Schumacher

Mrs. Roberta Rowlands Mr. Anthony Dicton

Mrs. Nancy Cooper

Mrs. Margaret Neville

Others present: Paul J. Roberts, Jr., Mayor; Paul Keating, Administrator; Harry Mattern, Esq., Solicitor; Julie Norton, Secretary

CITIZENS' REQUEST TO ADDRESS COUNCIL:

Thomas Zelinsky of 111 Price Street was issued two parking tickets because of the snow ban and paid them (\$5.00), but felt that the price of the parking tickets are excessive (\$100.00) at the magistrate level. Also, the property at 102 Price Street is a mess. There is garbage all over the place. Mr. Zelinsky feels that this town is a mess and that landlords are not keeping up with their property.

Mayor Roberts told Mr. Zelinsky that he is aware of 102 Price Street and it will be dealt with on Tuesday. There is a house on Elm that is a mess. Mr. Zelinsky feels that the Price Street area is not kept up very well.

Mr. Keating said that there were 298 parking tickets issued for the first snow storm and 400 parking tickets issued for the second snow storm. It is sometimes difficult to canvas the entire community during these storms, but the Ordinance needs to be enforced.

Mrs. Neville said that the Code Enforcement Officer does drive around to look for unkept properties and to make sure the Ordinances are followed. Mr. Keating said

that our Code Enforcement Officer is a new hire and is actually in school this week. Mrs. Neville suggested that we put a ticket on the door instead of writing letters and Mr. Keating confirmed that Kingston is working on this.

Brian Shiner of 97 W. Walnut Street stated that he was recently at a WVSA AND DEP meeting and it was remarked that 15 years of permitting, no one in this county has been fined. Mr. Keating remarked and said that we were an example as well as a few other towns.

Mr. Shiner would like council to consider allowing residents who live on limited access streets, those streets that there is no choice other than going one way to get out, be able to park either way. Mr. Shiner felt that DPW is doing a great job and also saving the town money by doing the work themselves and feels the street sweeping has improved and, lastly, the recyclables are making it into the truck instead of the tree lawn.

WYOMING VALLEY WEST HIGH SCHOOL'S PRESENTATION ON STORM WATER MANAGEMENT:

Nine seniors from Wyoming Valley West High School presented a slide show that covered the necessity of storm water management in the Municipality of Kingston.

ADMINISTRATORS VERBAL UPDATE:

Mr. Keating apologized that he missed the Work Session meeting, but he had a stomach bug.

Our pension funds in 2017 we hit our benchmarks on all three funds at an earning rate of 7.75%, but in 2018, we did not do that, and it wasn't until the fourth quarter that brought the returns to negative performance but feels that 2019 will be a good year. The numbers today shouldn't be concerning, as we have come back since last year.

Our gross MMO for 2019 is \$283,000.00, which swings our cash flow to make this work, although we may see a negative in the next local election.

The new rate for solid waste is up to \$60.90 per ton through Keystone Landfill. There was no mention about this new rate until January of this year. This was not forecasted last year.

Kingston has received their storm water bills from WWSA. Our engineer is making sure that all of the impervious areas are correctly stated on the invoice.

Regarding Ordinance 2019-1, tonight is the final reading. We received our franchise payment from Service Electric and his has actually gone down from \$61,000 to \$58,000.00. Now that we have a new player, Comcast, we may infuse additional revenue.

Our revenue has increased by \$142,000.00 as well as our transfer tax. Our General Fund balance is \$35,916.71.

Mr. Keating provided a policy that he wrote to council, although it is not customary to bring employee policies to council but there are things going on that concerns him. He feels council should be aware. Our Police Department is maintaining a facebook page that is not associated with Kingston in any capacity whatsoever entitled Kingston Police Bargaining Unit, Luzerne County, PA posting views and positions of not being satisfied with decisions that are being made by the Magistrate. This has been going on for some time. Mr. Keating is not involved with any magisterial decisions, although he worked for Jim Haggerty for twenty years and has developed a relationship in his professional and personal life, but it has not affected his impartiality and decisions pertaining to this town. Mr. Keating made it clear that his professional life is his professional life and his personal life is his personal life and under the circumstances my personal relationship with Jim Haggerty, in any way shape or form, does not affect my decision making. He won't support this page, as the manager of this community, because it is not the way we do things by airing our laundry on social media, but nonetheless employees have the right to free and open speech, however we do have policies and boundaries of how far we can go and what we can do as employees. If you look at his policy this has absolutely nothing to do with his relationship with Jim or the police department and the way they deal with the magistrates office, however a page such as this can bring adverse scrutiny, in terms of liability, media coverage as well as public perception from our citizens. This page has nothing to do with our community. This page has a badge and the badge says Kingston Bargaining Unit. This page looks like it is a representative of Kingston and it is not. What was put on this page was never run by the Police Chief or the Administrator. Mr. Keating will not support or condone this matter. None of this information will be posted on any municipal devices during working hours and will be done on the employees time. Mr. Keating brought this matter up this evening because he wanted it recorded in the minutes and wanted to

make sure that this perception of his relationship with Jim be recorded so that no one could twist his words or put some kind of spin on his words. This is to protect the integrity and interest of our community. No Department Head or Administration will become responsible for this page. No funds will be provided if there is a lawsuit. There will be no municipal funds, insurance coverage or representation provided in the event of a lawsuit. A disclaimer should be on their page saying there is no affiliation with Kingston Municipal Police Department or the Municipality of Kingston.

Mrs. Cooper asked if this was “run by anyone” and Mr. Keating and Mayor Roberts said “No”.

AGENDA ITEM:

It was moved by Mrs. Cooper and seconded by Mrs. Rowlands that **Ordinance 2019-1** granting a franchise to Comcast of Colorado/Pennsylvania/West Virginia, LLC

Motion carried and so ordered.

The vote of Council was recorded as follows:

Mr. Schumacher -Yes Mr. Dicton – Yes Mrs. Rowlands – Yes
Mr. Jacobs Mrs. Cooper – Yes Mrs. Neville – Yes Mr. Thompson – Yes

Motion passes.

It was moved by Mrs. Cooper and seconded by Mr. Schumacher that **Resolution 2019-2** confirming the Mayor’s appointment of a citizen to the Citizens Advisory Commission

Motion carried and so ordered.

The vote of Council was recorded as follows:

Mr. Schumacher -Yes Mr. Dicton – Yes Mrs. Rowlands – Yes
Mr. Jacobs Mrs. Cooper – Yes Mrs. Neville – Yes Mr. Thompson – Yes

Motion passes.

It was moved by Mr. Jacobs and seconded by Mr. Dicton that **Resolution 2019-3** approving a borrowing from Fidelity Deposit & Discount Bank

Motion carried and so ordered.

The vote of Council was recorded as follows:

Mr. Schumacher -Yes Mr. Diction – Yes Mrs. Rowlands – Yes

Mr. Jacobs Mrs. Cooper – Yes Mrs. Neville – Yes Mr. Thompson – Yes

Motion passes.

REPORTS:

The Fire Department responded to 418 calls. This Department received a \$14,000.00 grant for new bunker gear.

The Police Department responded to 601 calls and 34 were in Pringle.

There are 425 memberships at the Rec Center.

DPW collected 204 tons of garbage and 123 tons of single stream recycling. DPW did a good job in the snow storm.

Code Enforcement issued 28 violation letters and 10 non-traffic citations.

Finance reports are attached for your perusal.

NEW BUSINESS:

Mayor Roberts had no comment.

Attorney Mattern stated that he had an inquiry about the “old” Shoprite building and its zoning. We actually found an Ordinance from 1977 that it is zoned as C-2.

That’s good record keeping. Mr. Mattern announced that Kingston won the Franconi dispute. Franconi’s want Kingston to purchase their building because we were using their property.

Mr. Schumacher thanked the students for their storm water presentation.

Mr. Diction thanked the students for their hard work and that it is a good experience for everyone involved.

Mrs. Rowlands appreciates the students taking the time to work on projects.

Mr. Jacobs thanked the students for their storm water presentation and they did a nice job. Also, he thanked the residents who participated in this meeting and that he does not want his neighborhood to be cluttered with debris.

Mrs. Cooper also thank the students for their presentation and thanked Tom and Brian for participating in this evenings meeting.

Mrs. Neville thanked the students for the storm water presentation. Mrs. Neville would like to see a representative from our other Boards to attend a council meeting and give us a narrative of what is going on with that Board.

Mr. Thompson thanked the students for their storm water presentation and thanked Paul for his words regarding social media. Mr. Thompson told Mr. Zelinsky that if he has any problems, please call.

There being no further business, it was moved by Mrs. Cooper and seconded by Mrs. Neville to adjourn the meeting at 7:59 p.m.

FOR THE TOWN COUNCIL:

Robert Thompson, Jr. - President

ATTEST:

Julie Norton, Secretary
February 4, 2019