

MUNICIPALITY OF KINGSTON TOWN COUNCIL

REGULAR COUNCIL MEETING

OCTOBER 7, 2019

MINUTES

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

The following members of Council were present.

Mr. Robert Thompson, Jr.-President      Mr. Rob Jacobs-Vice President

Mr. Anthony Diction      Mrs. Nancy Cooper      Mrs. Roberta Rowlands

Mr. Jack Schumacher -      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:**

**Jay Finkelstein, 50 West Walnut Street** – Would like to propose council to vote on a new Ordinance that would allow a neighbor to do improvements. Our neighbor, Nancy Cooper, will not let me on her property to finish the siding and Mr. Finkelstein would like to know why Mr. and Mrs. Cooper will not let us on your property. Mrs. Cooper said that this is not the place or time to have this discussion. Mr. Thompson suggested that a meeting be set up to try to work this problem out, because this is certainly not the time or place for this conversation.

**R. Clark Stewart, 12 Meyers Court** – Believes that council is not super aware of their responsibilities and duties regarding Ordinances and residential and commercial areas and does not believe that anyone sitting at the table knows what is really going on in this town. For example, for thirty years there has been no violations recorded at Kingston Business Park. Mr. Stewart offered to help council with their duties. Regarding 12 Meyers Court area, there are garage doors open with car lifts and power tools all over which conflicts with the Quality of Life Ordinance. Another example is the dog park. No one is talking about a lot of

noise that is happening. Also, the amount of noise that comes out of Bonner Chevrolet (John Street) is unbelievable, according to his good friend who lives next door. This is a problem in this area with commercial business(es) next to residential properties. Mr. Stewart would like to know why this is happening because residents are supposed to have peaceful enjoyment of real property according to the Pennsylvania Constitution.

#### **ADMINISTRATIVE VERBAL UPDATE:**

Before we get to the presentation of 2020 Overview, just a few things to bring to council's attention starting with #9 on the Agenda. Mr. Keating asked council to officially consider rejecting #3 the painting of the gym which is a \$58,000.00 item. If we award this contract, fitness equipment, etc. will not be possible. Possibly, DPW can help spruce up the gym. Also, Ordinance 2019-7 for Intergovernmental Agreement for Police Services with the Borough of Pringle and Kingston. Does council have any questions? Council had no questions.

Our Home Rule Charter requires the Mayor to submit to Council a comprehensive long-range plan for public services, capital improvements, and fiscal policy. A comprehensive report has been put together for Council which is a blueprint for the reader. Its designed to let the reader, who will be able to read on our new website, this document and the budget. This plan covers everything from grants, finances, debt services legislation, personnel, general municipal services, public safety, taxation, cash flow, pension funds, and general management practices of the Administration. Each and every year, almost 65% is used for personnel. That does not leave a lot for everything else that needs to be done. There is a set of spreadsheets in Tab #1 that breaks down the budget and it shows you the analysis of personnel and fringe benefit costs for 2018 compared to 2019.

After paying for personnel and fringe benefit costs, 35.03% of all General Fund resources remain available for operating, etc. in the 2019 budget.

The biggest attribute in our Budget stands at 50.45% solely from earned income tax. If we do not have people living here or working here and paying their bills, we would not have the Kingston that we know. It is the residents, not businesses, that drives the economy of our government. That is why we need to update our parks, pave our streets, and keep our town attractive.

Since 2008 we have received \$10,173,303.00 in LSA grant awards. There are several open grants in progress because they take a long time to complete, one

being the UGI Public Safety Partnership which we were awarded \$450,000.00 in 2016. There is \$84,583.40 remaining on this UGI grant as of October, 2019. Approximately \$76,000.00 will be remaining on this grant and our DPW department will be removing all of the z brick on the west side of Wyoming Avenue and that amount will be deducted from the \$84,583.40. This grant will expire on June 30, 2020. An extension can be requested if needed. In the presentation booklet, there are bullet points with ideas of what could be done with the remaining funds.

Also, we have \$37,000.00 remaining out of a \$425,000.00 grant on the Church Street Park renovation project. DPW played a large role by shaving our costs in this project completing the soccer field and exercise track. DPW saved the Borough a significant amount of money which we can use for other projects in the park.

Kingston was also awarded, in September 2019, a Greenways, Trails, and Recreation Program Grant. A change in the scope of work, can be requested, for the use of the remaining funds as a match and the Greenways grant will pay for the playground and refurbishment of the football field. DPW will start ripping out the old equipment during the winter months. We hope to have the entire Park all wrapped up by April 30, 2020. There are a few more suggestions on page 4 that may be considered.

The Municipality was awarded \$238,050.00 in January of 2019 through the DEP 902 Performance Grant. A new front-end loader and trommel screen was purchased through the grant monies. \$144,090.00 was recently received from DEP 902 and the remaining \$93,960.00 has not yet been received as of this date. Kingston has not yet received the reimbursement for the trommel screen. That payment will be deposited in the General Fund. The General Fund will artificially be increased by \$88,000.00; however, when payment is received the General Fund will be balanced.

Chief Frank Guido and Firefighter Szfran secured a grant in the amount of \$46,545.45 through FEMA for 16 sets of new bunker gear. The Municipality's share is in the amount of \$4,545.28.

An \$80,000.00 grant has been awarded through Community Development for the demolition of 128-130 Cuba Street (Target Table). Mayor Roberts reached out to the Luzerne County Office of Community Development for the acquisition of

demolition funds. Through his efforts, he was awarded demolition funds and this project should be completed by October 21, 2019.

The Municipality has received a partial award, which was announced in August 2019, in the amount of \$450,000.00 through Luzerne County Office of Community Development Infrastructure Grant. This partial funding will be used for paving and ADA improvements along West Union Street which will tie into our future projects as we have pending a \$1,447,000.63 grant through the DCED Multimodal Transportation Fund Program. Our grant would include a new pedestrian pathway and crosswalk system which will safely connect to recreational amenities. This is a unique project for revitalizing, connecting, and infusing public safety improvements along the Church Street/Third Avenue corridor. This area is one of the primary points of ingress and egress, and hosts many recreational and public venues such as Keiper Park, JCA of Northeastern Pa and the Kingston Rec Center. This project area is a gateway point to our community and will safely connect some of our region's most valued recreational amenities. Funding announcements are tentatively scheduled for November 2019.

The Municipality is currently applying for \$742,481.00 in funds through the PA DOT Multimodal Grant Program for the 2020 West Union Street Beautification and Infrastructure Improvement Project. This project will include new sidewalks, new curbing, new decorative street lighting, the removal of all dying and oversized trees, professionally designed tree pits, new electronic crosswalk systems, and new poles for traffic controls and street markings. This project has been designed to synchronize in a phase-two like capacity with the paving and ADA improvements, including new poles for traffic controls and street marking through funds secured through the Luzerne County office of Community Development. This application will be filed with PA DOT during the first week of November, 2019. Tab #2 has all of the renderings what is being proposed in the grant application.

Future plans for the Municipality are open for suggestions. Please keep in mind the LSA Grant Program, state and federal grant programs, public/private partnerships, municipal budget appropriations, and borrowings as potential funding. Mr. Keating encouraged council for their suggestions.

There are 77 full time employees which are broken up into departments. There are 4,816 taxable parcels in our community and we levy a 1.550 mill property tax rate. 17.29 mills is the current tax levied from the Wyoming Valley West School

District and Luzerne County is 5.97 mills. There are also additional fees paid by residents such as the Flood Protection and WVSA. Only 6.25% of a Kingston homeowner's annual property tax payments go to Kingston. Also, a Kingston property owner with a home assessed at \$100,000.00 pays \$28.13 more to Kingston on an annual basis for all emergency and governmental services.

Kingston's total assessed value of real estate from 2010 was worth over \$770,000,000.00. In 2019, the total assessed value is \$731,830,800.00. a decrease of \$40,000,000.00.

Wilkes Barre Behavior Hospital's assessed value decreased from \$21,215,900.00 to \$9,650,000.00 which is a loss to the Municipality. It becomes almost impossible to keep your real estate tax steady. This is because of the tax appeals being reduced from the tax assessor's office. The effective net loss in annual revenue to the Municipality, at this point, is \$-15,754.65. Wage tables also depicts 2018-2019 top payments of mercantile taxes by largest employers in town. Our number is skewed because we have part time employees, crossing guards, etc. We have breakdowns of revenues ie., garbage stickers, ALS revenue, local services tax, camps, pool employees, and DPW summer employees. A meeting will be held with our bond counselor to see where we are at and all of the information is in this report to look at our taxable pension note as well and may be able to refinance that note and save \$50,000.00 per year. We broke down all of our spending dating back to 2015 and in 2016 which is low and that is because of the bond issue. Fuels is an estimate at \$338,440.00 and it is actually a decrease. Workers compensation dropped from \$240,000.00 to \$224,000.00 and that is because our experience modification factor is .884 which is very good. Health insurance information will not be available for review until October 15, 2019 for next year.

Service Electric will pay the Municipality five percent of gross basic and premium services offered by the company. Their non-exclusive franchise Agreement with Kingston will expire in 2021 and the Municipality should begin meetings with Service Electric in 2020.

The Municipality established a new (10) year, non-exclusive franchise Agreement with Comcast effective February 4, 2019. Comcast will provide cable, internet, and communication services to our community. Comcast will pay a franchise fee to the Municipality. No franchise fees have been received from Comcast at this time. The Administration has requested a timeline and scope of work from

Comcast regarding the progress and availability of their products in our community.

Regarding our Pension Fund, on December 31, 2019, all of the MMO's we have since we did a refi on MMO's have remained within \$15,000.00 for the last four years. In 2016, Kingston was looking at over one million dollars in MMOs This year we are going to be down to \$95,237.08 for our share of the MMO and next year will drop down even less because the unit value of the state pension aid has increased. Earlier when I spoke about refinancing our pension note, we are getting close if we were to save \$50,000.00 in debt service and pension and we are almost eliminating our MMO altogether. That change is really big for Kingston. The pension fund is based on 125 units of state aid, but again it is hoped that our budget we will have a plan for refinancing the 2017 pension note. When this report is finished a discussion with council concerning recycling fees would be appropriate.

A complete list of debt services has been outlined. Kingston has ordered a new 2020 Tahoe for the Fire Chief, a 2020 black Explorer for the Police Department, and there are two F-750's to replace the top kicks which are the big yellow dump trucks for snow plowing. That debt service is all included to be factored into the 2020 budget.

All of the agreements are outlined ie., Pringle Police Services Agreement, Kingston/Forty Fort Fire Department, Collective Bargaining, Police Department and DPW employees.

Also, there are suggested legislation changes to our Home Rule Charter.

Recycling tipping fees are \$57.21 per ton which is currently a high-point for 2019. The 2020 Budget will more than likely require an appropriation of 80,000.00, but probably closer to \$100,000.00 in our budget for recycling.

Clutter clean-up will return in 2020 and the fee will remain the same per household.

A suggestion has been made to pave Pringle Street by our DPW Department and approximate costs are indicated by block.

There is still a DPW site contamination issue and will cost \$35,000.00 to see this threw and an additional \$20,000.00 to seal and pave the area.

We are charged a storm water fee in the amount of \$1,585.34 quarterly or \$6,341.36 annually for all parcels. On Tab #4 you can see all of the bills. Our engineer did GIS overheads which are outlined. Kingston has a WWSA Savings Account through the stormwater plan in the amount of \$47,874.00. One suggestion for the use of this savings would be to purchase a street sweeper which is beginning to decline. It is an eligible cost. A WWSA stormwater funded project has approved Kingston for a BMP project at Korn Street (Tab #5) which would include the removal of the tennis courts (impervious asphalt) and establish a raingarden along Korn Street. This project will eliminate a significant portion of our \$133.73 quarterly bill charged for Korn Street.

The National League of Cities has a program where our residents can buy insurance for exterior water lines, external sewer and interior plumbing and drainage plans for reasonable rates.

Regarding Tab#2 is the playground equipment for Church street. On the wet union street project there is a before and after picture. Hopefully we will get the grant. The last thing on #3 we had a great year at the pool over \$30.00 in revenue and would like to invest in umbrellas on the Joseph Drive Side and diving board area.

Wyoming Avenue will be paved from Forty Fort to Edwardsville. All new ADA sidewalks. The completion date is scheduled for May 15, 2020.

Mr. Keating thanked everyone for listening and this is his 23<sup>rd</sup> year working on the budget.

#### **AGENDA ITEM:**

It was moved by Mrs. Cooper and seconded by Mrs. Neville that **Resolution 2019-23**; Rejecting All Bids for the Kingston Recreation Center Basketball Court Painting Referenced as Contract #3

Motion carried and so ordered.

The vote of Council was recorded as follows:

Mr. Schumacher - Yes

Mr. Dicton - Yes

Mrs. Rowlands - Yes

Mr. Jacobs - Yes

Mrs. Cooper - Yes

Mrs. Neville - Yes

Mr. Thompson - Yes

Motion passes.

It was moved by Mr. Jacobs and seconded by Mrs. Cooper that **Ordinance 2019-7**; Approving an Intergovernmental Cooperation Agreement for Police Services with the Borough of Pringle, Luzerne County, Pennsylvania

Motion carried and so ordered.

The vote of Council was recorded as follows:

Mr. Schumacher - Yes

Mr. Dicton - Yes

Mrs. Rowlands - Yes

Mr. Jacobs - Yes

Mrs. Cooper - Yes

Mrs. Neville - Yes

#### **REPORTS:**

The Fire Department responded to 435 calls.

There are 586 memberships at the Rec Center.

Code Enforcement issued 34 violation letters, 18 non-traffic citations and performed 10 residential inspections.

The Police Department responded to 740 calls and 34 were in Pringle.

DPW collected 193 tons of garbage, 94 tons of single stream recycling and 108 cubic yards of yard waste. There were eight inlet replacements. The "Z" brick has been removed and replaced with concrete sidewalks on Wyoming Avenue

between the Hoyt Library and Keefer's Army Navy. The project will continue south to Kingston corners with an estimated completion date of October 9, 2019.

Finance reports are attached for your perusal.

### **NEW BUSINESS:**

Mayor Roberts commented that the amount of work that Paul Keating has put into this budget, and it's only the beginning, is amazing. He did a great job.

Mr. Mattern said that the tentative Franconi argument is set for December 9, 2019. Mr. Mattern commented that listening to our Administrator, he did a smart move regarding our MMO's and there seems to be no problem. To me, this is marvelous solid leadership from our Administrator, Mayor and Council.

Mr. Schumacher thanked the Mayor and Administration for another fantastic 2020 projection.

Mr. Diction thanked everyone involved in the budget for the amount of work that is put into all areas. Mr. Keating said that he has a meeting with the actuary this week and just wants to run the numbers by him to make sure that everyone is on the same page.

Mrs. Rowlands thanked Mr. Keating for his time and effort and his explanations are on point and we are all able to understand.

Mr. Jacobs thanked Mr. Keating. This overview is countless hours. Mr. Jacobs is excited about the plan for the pool and Parks and Recreation. It is finally coming to fruition.

Mrs. Cooper thanked Mr. Keating and the Mayor for doing such a good job. There are very positive comments for Kingston.

Mrs. Neville thanked all who were involved and said that there is lots of homework to go over. Mrs. Neville asked Mr. Keating about the ticketing systems and Code Enforcement and Mr. Keating replied by saying that Kingston is very close to having this system up and running with iPads. Mrs. Neville also wanted to know if the basketball hoop is up at Keiper Park. Mr. Keating said that it has been up for several days. Mrs. Neville ended with "great job".

Mr. Thompson thanked everyone involved in Mr. Keating's presentation. Mr. Thompson mentioned that if an Agreement is reached with National League of

Cities Service Line Program, everyone in Kingston should take advantage of this service.

There being no new business and no further business, it was moved by Mrs. Cooper to adjourn the meeting at 7:54 p.m.

FOR THE TOWN COUNCIL:

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Robert Thompson, Jr., President

ATTEST:

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Julie Norton, Secretary  
October 7, 2019