

MUNICIPALITY OF KINGSTON TOWN COUNCIL

MONTHLY COUNCIL MEETING

FEBRUARY 3, 2020

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 3, 2020, at 7:00 p.m.

The following members of Council were present.

Mr. Robert Thompson, Jr. – President

Mr. Rob Jacobs     Mr. Jack Schumacher     Mrs. Roberta Rowlands

Mr. Anthony Diction – Vice-President     Mrs. Nancy Cooper

Mrs. Margaret Neville - excused

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

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

Nine students 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 discussed tabling item #10, Resolution 2020-4 regarding a contract to recondition the football field at Church Street Park. Costs are all over the place with the contractor's bids ranging from \$127,288.75 to \$286,656.20. The lowest bid was from Columbia Excavating; however, a mistake was made on Columbia Excavating's part. The price should have been \$4.50 per sq. yard but they gave a price for \$1.50 per sq. yard for top soil. All of the other bids were in the \$4.50 sq. yard area. The bid was going to be withdrawn, but did not make it in time. This matter is somewhat time sensitive. If we reject all of these bids and redo the bid, be aware that we are running the risk of not finishing this project before the

football season. We don't want that to happen. Now that the contractor did not withdraw his bid, we cannot award any bids. Initially, we were going to ask council to approve the bid, but now that the contractor did not withdraw his bid and there was no commitment this evening, let's look at bullet #3 - another option according to the engineer is that we could award the base bid with the stipulation that at some point after the contract is awarded we will make a change order in the proper amount of \$4.50 per square yard for top soil which increases the project amount to \$43,290.00 up to \$100,578.75. We originally thought this project would be approximately \$125,000.00. Now even when taking this low bidder and tacking on the \$43,290.00, we are significantly over our budget. With that being said, this is a GTR grant, not LSA, so it requires a 30% match.

There are two open grant applications at this time. One is with UGI (Public Safety Grant) that were used to put in the new street lights along Market Street that has a balance of \$85,056.00 and we are not going to be able to do anything further that would complete anything of significance with this remaining grant money. This grant expires on June 30, 2020. We would like to consolidate the UGI and the open LSA funds with the Church Street Park grant which is separate from GTR. The LSA grant that was used for the soccer fields has a balance of \$38,441.00 and expires next year. Representative Kaufer and Senator Baker will be contacted and asked if this consolidation would be supported which would help us out, not only by the overage and will ask if we could use the remaining funds on the GTR match. That gives us 60 days to reject these bids which I don't want to use and would like to get a commitment from DCED on this funding. We are going to table Resolution 2020-4. In the meantime, efforts will be made to get these balances consolidated and the money overages will be addressed. If that goes through, council will be asked to award a bid between \$127,288.75 and \$118,798.00 depending if we accept any deduct alternates which have not been decided at this time. These are work items that DPW would do to lower the cost on the grant. Deduct Alternate #1 is to build a road in the work area so trucks won't ruin our track or our fields for proper ingress and egress and Deduct Alternate#2 6190 is for the stormwater system that needs to be put in so the area drains properly to reflect the unit price. If council is asked to award the bid to Columbia Excavating, we will have to do a change order, so that council is aware in the amount of \$43,290.00 to reflect the actual unit price which will be noted in the Resolution.

Mr. Mattern said that Columbia Excavating is still the low bid even with the add on compared to the other bids.

Mr. Keating is hopeful that DCED will have an answer regarding the grant money before the Work Session. Should that happen, we will have a Special Meeting to award the bid.

Regarding the Multimodal Grant, we would like a recreational pathway from Third Avenue (across from the JCC) along the trestle with a decorative canopy connecting it to Keiper Park. We have been moving along slowly with Norfolk-Southern and recently found out that they will not go any further until their internal engineers and staff review legal documents and boundaries. After their review, they will provide us with their opinion as to whether or not we can do this canopy. They are asking for \$17,257.00 for this opinion. Room was left for contingencies in the grant. We asked DCED for their permission before signing if the grant would allow for payment to other engineering firms, other than Kingston, and it is very clear on Page #1 that they will not allow grant money for any other engineer except for our engineering firm. At this time, we cannot go any further with this project unless we execute this Agreement with Norfolk Southern. We could move some things around to make up for the \$17,000, but would like council's input. If we take this trail along Third Ave and spiral it and don't put anything under the railway it is possible to do, but I think it takes away from the entire project. Is council ok finding \$17,000.00? First, we need to make sure council is on board with the potential cost and that is not appropriated in the budget in the amount of \$17,000.00. Mr. Thompson asked council if there were any problems with this amount and council had no problem.

Our engineer was doing a field assessment in the Third Avenue area and found that WWSA has a 60-inch stormwater pipe that runs from Lippi's property all along Third Avenue to the Church Street pumping station and now WWSA has an issue with this pathway over their stormwater pipe. We are meeting with the Flood Protection Authority and ask if they have any easement issues if we move the trap to the railway trestle. In the meantime, we are going to ask WWSA, under stormwater management, do some type of televising of that line and to check out the integrity of the pipe before we start building. This project is not going out to bid for all of the reasons that were pointed out this evening.

Mr. Keating is proposing that the 2016 general obligation taxable note to fund our pension plans to remove the unfunded actuarial approved liabilities from the

pension plan in the amount of \$6,708,000.00 note. We initially looked at taking this out to the bond market because the rates are favorable. The Mayor and I had a meeting with Fidelity and relayed that Kingston would like to reconstruct the note that we have at this point. We are not changing the time period, or principal, but want to restructure without tweaking the principal amount, or time on the note that is more state aid we have to put on our pension plans which reduces our MMO. Also, we are looking at 2015 nontaxable capital bond, not borrowing any additional funds, rolling that over we can keep our debt service the same on the note and get a \$1,0125,000.00 at closing if we were to take it out for five more years. Mr. Keating is not recommending this avenue.

**AGENDA ITEM:**

It was moved by Mrs. Cooper and seconded by Mr. Diction that **Resolution 2020-3**; Approving an Extension Agreement with Property Registration Champions, LLC

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              Mr. Thompson – Yes

Motion passes.

It was moved by Mr. Schumacher and seconded by Mrs. Rowlands that **Resolution 2020-5**; Approving Amendments to the Kingston Civil Service Rules and Regulations

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              Mr. Thompson – Yes

Motion passes.

## **REPORTS:**

The Fire Department responded to 402 calls.

The Police Department responded to 684 calls and 31 were in Pringle.

There are 663 memberships at the Rec Center.

DPW collected 238 tons of garbage and 133 tons of single stream recycling. DPW did a good job in the snow storm.

Code Enforcement issued 27 violation letters, 8 non-traffic citations and performed 18 pre-sale inspections.

Finance reports are attached for your perusal.

## **NEW BUSINESS:**

Mr. Keating said that there will be a meeting regarding the Civil Service Rules and Regulations on February 11, 2020 and will discuss the meeting results at the Work Session on the 18<sup>th</sup>.

Mayor Roberts had no comment.

Attorney Mattern questions the recycling fees and the senior citizens....even with the 25% reduction and is hopeful there is an easier way to pay for recycling. Mr. Mattern indicated that Attorney Randazzo, counsel for A & A Auto is concerned about the demolition of Franconi and that the two buildings are connected. As of this date, there is no injunction.

Mr. Schumacher is concerned that the stumps around town are not being taken care of and would like the Shade Tree Committee to look into this matter.

Mr. Jacobs had no comment.

Mrs. Rowlands thanked the students for their stormwater presentation.

Mrs. Cooper also thanked the students for their stormwater presentation.

Mr. Dicton also thanked the students for all of their time and due diligence.

Mr. Thompson thanked the students for their stormwater presentation.

There being no further business, it was moved by Mrs. Cooper to adjourn the meeting at 7:45 p.m.

FOR THE TOWN COUNCIL:

---

Robert Thompson, Jr. - President

ATTEST:

---

Julie Norton, Secretary  
February 3, 2020