

**City of Nanticoke**  
**Work Session/City Council Meeting**  
**April 4, 2018 -7:00PM**



**WORK SESSION AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Invocation - City Clerk
4. Roll Call
5. Discussion of Council Meeting Action(s)
  - a. **A Motion** to approve Resolution #3 of 2018, authorizing the appropriate City Official to approve the 2 year energy agreement with South Jersey Energy Commodity Supply.
  - b. **A Motion** to approve Resolution #4 of 2018, authorizing the appropriate City Official to approve the Municipal Services Partnership Agreement with the SPCA.
6. Administrative Updates for Council -  
- Mayor's Proclamation – Fair Housing
7. Work Session Adjournemnt

**COUNCIL MEETING AGENDA**

1. Comments from the Public – Agenda item only.
2. Old Business – None
3. New Business
  - a. **A Motion** to approve the minutes from the March 21, 2018 council meeting.
  - b. **A Motion** to approve the payment of the bills in the total amount of \$  
(Payroll) \$ (Accounts Payable) \$
  - c. **A Motion** to approve Resolution #3 of 2018, authorizing the appropriate City Official to approve the 2 year energy agreement with South Jersey Energy Commodity Supply.
  - d. **A Motion** to approve Resolution #4 of 2018, authorizing the appropriate City Official to approve the Municipal Services Partnership Agreement with the SPCA.
4. Comments from the Public
5. Correspondance- None
6. Announcements- None
7. Adjournemnt-

**Next Meeting April 18, 2018 @ 7:00pm**

## NANTICOKE CITY



### WORK SESSION and COUNCIL MEETING MINUTES

March 21, 2018

Nanticoke City Hall 7:00PM

Call to Order: President of Council William Brown

Pledge of Allegiance

Invocation: City Clerk, Jennifer Polito

The following were present: Councilors, William Brown, John Pietrzyk, Kevin Coughlin, Lesley Butczynski, Nicole Mackiewicz, Solicitor, Attorney William Finnegan, Finance Director/City Clerk, Jennifer Polito and Interim City Manager, Donna Wall.

#### WORK SESSION-

None

#### Administrative Updates

-Executive Order #5 of 2018 was executed by Mayor Richard Wiatrowski to hire Chad J. Callahan as a Reserve Police Officer on March 14, 2018.

-It was announced that the City was awarded a 2018 LSA Grant in the amount of \$450,000.00 for the downtown streetscape and the GNA School District was awarded \$250,000.00 for the Stadium Project which the City applied for on their behalf.

**A Motion** was made by Kevin Coughlin, second by Mr. Pietrzyk to adjourn the work session. Work session adjourned.

#### REGULAR MEETING Comments from the Public agenda items only.

Mr. Lou Gianuzzi inquired about the 2018 LSA Grant in the amount of \$450,000.00. He asked what is the 450,000.00 going to be used for. Donna stated that the budget will have to be adjusted due to applying for 1 million and receiving \$450,000.00 but it will be used for the completion of the downtown streetscape.

Mr. Joe John asked what the City is earmarking that \$450,000.00 grant for. Donna stated it will be acquisition and demolition. Joe also asked if the \$250,000.00 was enough to complete the GNA School Stadium project and Donna stated no since they applied for 1 million for that too. Donna stated it will be completed in phases.

#### Old Business

None

#### New Business

**A Motion** to approve the March 7, 2018 meeting minutes was made by Mr. Pietrzyk second by Mr. Coughlin. Motion carried.

**A Motion** to approve payment of the bills in the amount of \$389,349.10 was made by Ms. Butczynski, second by Mr. Coughlin. Payroll (\$92,188.43) Payables (\$297,160.67.) Motion carried.

**COMMENTS FROM THE PUBLIC –**

Mr. Lou Gianuzzi inquired about the senior housing project and wanted to know exactly where on Market Street it will be built. He stated that there is no room for it. Donna stated it would be Main Street from Walnut St. to Shea St.

**Correspondence –**

Donna received a letter from the Salvation Army in Hanover Twp. that they will now take TV's as long as they are not damaged or broken. Two per car will be allowed.

**Announcements-**

Mr. Brown announced that City Hall will be closed on Good Friday, March 30, 2018 and will reopen on Monday, April 2, 2018 at 8:30 am. He wished everyone a Happy Easter.

**Meeting Adjournment**

Mr. Coughlin made the motion to adjourn, second by Ms. Butczynski, roll call.

Meeting adjourned at 7:14PM.

Next Meeting, Wednesday April 4, 2018 at 7:00PM

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Jennifer W. Polito  
City Clerk

RESOLUTION No. 3 of 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NANTICOKE  
AUTHORIZING A TWO (2) YEAR EXTENSION TO THE SOUTH JERSEY  
ENERGY COMMODITY SUPPLY AGREEMENT

WHEREAS, the City of Nanticoke currently has a Commodity Supply Agreement with South Jersey Energy dated January 20, 2016;

WHEREAS, the City Council of the City of Nanticoke wishes to extend the Agreement for a period of two (2) years.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Nanticoke and it is hereby resolved by the authority of the same as follows:

1. The proper City Officials are hereby authorized to execute a two (2) year extension to the current Commodity Supply Agreement with South Jersey Energy and the proper City Officials are authorized to take any and all steps necessary in order to carry out the intent of this Resolution.

RESOLVED, this 4 day of April 2018, by the City Council of the City of Nanticoke,  
Luzerne County, Pennsylvania.

ATTEST:

CITY OF NANTICOKE:

\_\_\_\_\_  
Jennifer Polito, City Clerk

\_\_\_\_\_  
William Brown, Council President

RESOLUTION No. 4 of 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NANTICOKE  
APPROVING A MUNICIPAL SERVICES PARTNERSHIP AGREEMENT WITH  
THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS OF  
LUZERNE COUNTY

WHEREAS, the Society for the Prevention of Cruelty to Animals of Luzerne County (hereinafter "SPCA") has requested municipalities in Luzerne County to assist with the costs associated with the care and handling of stray animals;

WHEREAS, municipalities are required by law, in the instance of stray dogs, to use a facility for the care of stray dogs;

WHEREAS, the City of Nanticoke deems it advisable to enter into the proposed Agreement with the SPCA in order to fulfill its obligations under the law and meet its obligation to provide for the health and safety of the City's residents.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Nanticoke and it is hereby resolved by the authority of the same as follows:

1. The City Council of the City of Nanticoke hereby approves the Municipal Services Partnership Agreement between the City and the Society for the Prevention of Cruelty to Animals of Luzerne County and the proper City officials are hereby authorized and directed to execute any and all documents necessary in order to memorialize said Agreement.

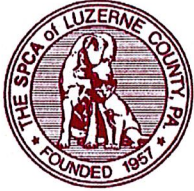
**RESOLVED**, this 4 day of April 2018, by the City Council of the City of Nanticoke, Luzerne County, Pennsylvania.

ATTEST:

CITY OF NANTICOKE:

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Jennifer W Polito, City Clerk

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William Brown, Council President



## Society for the Prevention of Cruelty to Animals of Luzerne County

524 East Main Street, Wilkes-Barre, PA 18702

Phone: (570) 825-4111; FAX: (570) 825-7898; URL: [spcaluzernecounty.org](http://spcaluzernecounty.org)

### MUNICIPAL SERVICES PARTNERSHIP AGREEMENT

THIS AGREEMENT, made between the Society for the Prevention of Cruelty to Animals of Luzerne County, a Pennsylvania non-profit corporation, hereinafter referred to as "The SPCA of Luzerne County", and City of Nanticoke, a Pennsylvania municipal corporation hereinafter referred to as "Local Governing Body" outlines the care of stray animals within the municipal jurisdiction.

The Local Governing Body shall pay to the SPCA of Luzerne County an annual sum determined below for services related to **stray animals intake only** (this does not include owned animals, animals seized during a humane investigation or lost animals returned to their owners within 48 hours of intake) originating from their municipality in each calendar year indicated within this agreement.

In consideration of the payment specified with this agreement, the SPCA of Luzerne County shall provide to the Local Governing Body the following services:

- a. Housing and care for stray dogs presented to the SPCA of Luzerne County by police officers, the State Dog Warden, Animal Control officer, agent of the local Governing Body and/or Good Samaritan for a minimum of the state mandated 48 hour stray hold.
- b. Housing, care and/or humane euthanasia for any stray cat presented to the SPCA of Luzerne County by police officers, Animal Control officer, agent of the Local Governing Body and/or Good Samaritan.
- c. Animal Related Municipal Ordinance consultation.
- d. Full record keeping and documentation as required by the Department of Agriculture's Bureau of Dog Law.
- e. Lost and Found services- including owner search and return.
- f. State mandated rabies hold for stray animals that have bitten and/or specimen preparation and transport to State Veterinary office.
- g. Veterinary care for sick and injured stray animals including and up to humane euthanasia if deemed necessary performed by certified technicians.

The SPCA of Luzerne County will be responsible for expenses in providing emergency veterinary care for sick and/or injured animals. Municipal officials should notify the SPCA of Luzerne County immediately prior to transporting animals with serious injuries and/or illnesses so proper arrangements can be made for housing and treatment of the animal. The SPCA of Luzerne County can be reached by the Local Governing Body at 570-825-4111 during normal business hours and 570-574-6875 after hours in case of an emergency.

The SPCA of Luzerne County agrees to provide contracted municipalities with quarterly financial statements and quarterly stray intake reports detailing the location stray animals were found within the municipality's boundaries. Quarterly reports will be provided on or before the following dates:

- January 20
- April 20
- July 20
- October 20

The SPCA of Luzerne County agrees upon conclusion of the initial five (5) year contractual agreement at 11:59pm on December 31, 2022, agrees to the following; the contract entered into in year 6 will cap any increase in the per capita cost associated with the census option and the per animal cost of the Municipal Services Agreement that is the responsibility of the contracted municipality. The rate of increase will not exceed the five year cumulative rate of inflation as determined by the US Federal government. This capped increase will remain in effect for the duration of agreements entered into for years 6 thru 10.

The SPCA of Luzerne County is an independent contractor to the Local Governing Body and none of its agents, employees or officers shall be construed as, or represent themselves as employees of the Local Governing Body. The Local Governing Body will be indemnified and held harmless from any actions of agents, employees or officers of the SPCA of Luzerne County relative to provisions of this Agreement.

The SPCA of Luzerne County states that it has liability insurance coverage in the amount of \$2,000,000 and that the personnel provided by the SPCA of Luzerne County are employees of the SPCA of Luzerne County. Upon execution of this Agreement and per request, the SPCA of Luzerne County shall provide to the Local Governing Body a certificate of insurance naming the Local Governing Body as an additional insured.

The SPCA of Luzerne County shall have no obligation to provide any service if payments for services are not received from the Local Governing Body as indicated within this agreement. The SPCA of Luzerne County shall be entitled to pursue all other remedies available in law or equity for payment upon services rendered including recovery for costs, expenses and reasonable attorney's fees.

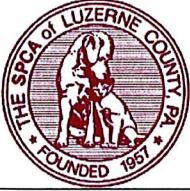
The SPCA of Luzerne County agrees to receive, house, re-home and/or dispose of any/all stray domestic animals from within the participating Local Governing Body. The SPCA of Luzerne County does not provide transportation of stray animals.

Please sign and date below that you have fully read and understand the terms of this agreement as indicated above.

Signature: 

Date: 

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## Society for the Prevention of Cruelty to Animals of Luzerne County

524 East Main Street, Wilkes-Barre, PA 18702

Phone: (570) 825-4111; FAX: (570) 825-7898; URL: [spcaluzernecounty.org](http://spcaluzernecounty.org)

### MUNICIPAL SERVICE PARTNERSHIP AGREEMENT

#### MUNICIPAL INFORMATION

NAME: City of Nanticoke

ADDRESS: 15 E. Ridge St.

CITY/STATE/ZIP: Nanticoke Pa 18634

PHONE: 570-735-2800 ext. 111

EMAIL: dwall@nanticokecity.com

CONTACT: Donna Wall TITLE: Interim City Manager

#### AGREEMENT TERMS

Please select below the option for your Local Governing Body.

OPTION A – INTAKE DATA

The Local Governing Body may elect to enter into this agreement where the annual cost will be determined by a per animal cost for the total number of animals brought to the SPCA of Luzerne County from police officers, the State Dog Warden, Animal Control officer, agent of the local Governing Body and/or Good Samaritan from within their municipal jurisdiction.

The Intake Data information sheet will be given to the Local Governing Body by year-end for the previous year's intake numbers.

For example: in December, a list of animals received in 2017 will be supplied for the 2018 year agreement.

Intake of 10 animals in year one X \$19 = \$190 (based on a 5 year agreement)



OPTION B – CENSUS DATA

The Local Governing Body may elect to enter into this agreement where the annual cost is determined by Census Data for the specific population for the municipal jurisdiction. The cost per individual will be determined annually by the SPCA of the Luzerne County. Multiple year agreements will hold that fee for the term of the agreement.

New Census Data becomes available every ten years and will not change until 2020.

For example: The Census population for municipal ABC is 2,000 people X \$.55 (SPCA Cost) = \$1,100 annually.



**AGREEMENT TERM:**

<u>Year Terms</u>	<u>Intake Data</u>	<u>Census Data</u>
<input type="checkbox"/> 1 year*	\$95 per animal	\$.55 per person based on 2010 Census until 2020
<input checked="" type="checkbox"/> 5 year*	\$19 per animal year one \$38 per animal year two \$57 per animal year three \$76 per animal year four \$95 per animal year five	\$.55 per person based on 2010 Census Data and will hold until year 2022. New agreements will be based on 2020 Census Data  Year one – 20% of total amount based on census data Year two – 40% of total amount based on census data Year three – 60% of total amount based on census data Year four – 80% of total amount based on census data Year five – 100% of total amount based on census data

\*Agreement year term is based January through December.

\*\* Upon acceptance of the presented agreement the SPCA of Luzerne County agrees to begin the contractual agreement on April 1, 2018. The initial contract period will extend for nine (9) months, beginning April 1, 2018 and concluding at 11:59pm on December 31, 2018. Contracted municipalities' will be billed for 75% of Year one as a result of the formal program start date. Year 2 of the contractual agreement will begin at 12:00am, January 1, 2019 and extend for the calendar year concluding on December 31, 2019 at 11:59pm. Each subsequent remaining year of the initial five (5) year contract will follow the same calendar year schedule as year.

**BILLING TERMS (Payment dates are scheduled on the last day of the month listed below:)**

- Quarterly  February, April, July and October  
 Bi-Annual  April and October  
 Annually  April

This Agreement may be terminated upon thirty (30) days prior written notice by either party hereto. In the event this Agreement is terminated by either party prior to the end of its term, the fee set forth within this agreement shall be prorated and the balance returned to the Local Governing Body.

The undersigned officer, agent, or employee of the Local Governing Body represents and warrants that they have the authority to contract and bind the Local Governing Body.

\_\_\_\_\_  
Authorized Signature of SPCA of Luzerne County

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature of Local Governing Body

\_\_\_\_\_  
Date