

## **MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL**

Wednesday, August 27, 2008 at 7:00p.m., Borough Office  
114 W. Catawissa Street, Nesquehoning, PA 18240

**ROLL CALL:** COUNCILMEN DiMICELI, HAWK, JACOBS, SNISCAK JR.,  
COUNCILWOMAN WALCK; PRESIDENT DeMARCO; MAYOR WALCK;  
& SOLICITOR YURCHAK

President DeMarco called the meeting to order at 7:01 p.m.  
Councilman Stromelo and Chief Smith were absent.

**MINUTES:** Approve the minutes from the Regular Meeting held on July 23, 2008.  
Councilman Hawk moved and Councilman Jacobs seconded to approve the July 23, 2008 Regular Meeting Minutes. All voted yes. Motion passed.

### **HEARING OF VISITORS**

Bob Marouchoc – 27 N. Almond St. – stated about the letter he dropped off at the Borough Office a month ago, which asked for a copy of a document that designated the Stempa property as being zoned commercial. He stated how he had not heard anything. Solicitor Yurchak stated how he could give him a copy of the Nesquehoning Zoning Hearing Board's decision. Mr. Marouchoc stated how the Chief quoted a County Ordinance which overrides the local ordinance that an individual or an owner of a property that was zoned commercial could have the dump trucks and the Borough could not do anything about it. He stated how he wanted to know where that information came from. Councilman DiMiceli asked Solicitor Yurchak if they could be more restrictive than the zoning ordinance. He stated about getting to the part of the issue, "The abandoned vehicle ordinance does apply to his property". Solicitor Yurchak stated that there was another situation where they allowed a fence to be put up and he believed that the fence was not acceptable to Mr. Marouchoc.

Mr. Marouchoc stated how Chief Smith had stated, more than once, that he could not cite because he was told that there was a County Ordinance that overrides the local ordinance for commercial property that has to do with vehicles. He stated how that was why Chief Smith could not cite him or do anything. Mr. Marouchoc stated that he went down to the Carbon County Planning Commission and he explained to them what was going on and what had transpired to date. He stated that he asked them for a copy of the County Ordinance. He stated "there ain't none". Mr. Marouchoc stated how that was why the Chief could not do anything beyond going down there and talking to him. He stated how that should be in the minutes of the last meeting. Mr. Marouchoc stated that he wanted to know who told the Council and the Chief about the County Ordinance that prohibited the Chief from following up on it. Solicitor Yurchak stated that he did not know what he was talking about. Mr. Marouchoc stated that he sometimes wonders what other information was provided to Council that was not checked on. He stated how the County had not had Ordinances in almost ten years.

Solicitor Yurchak stated how they did meet with him down at the property and there were promises made that were not kept. He stated how there will be further action taken in that regard, immediately. Mr. Marouchoc stated that he wanted to make one thing very clear. Somebody brought that information to the attention of the Chief because it was discussed at a meeting. He stated that whoever it was should be talked to and asked to show them the document.

Rudy Phillips – 10 W. Catawissa Street – stated how Solicitor Yurchak sent his neighbor a letter back on July 24, 2008 regarding all the garbage. He stated how it was now August 27, 2008 and he had only removed about 10% (old tires and other stuff). Solicitor Yurchak stated how he had met with him after he talked to Mr. Phillips and he promised to clean up the whole yard. He stated that he knew how Chief Smith talked to him also.

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Mr. Phillips stated about an ordinance for a refrigerator being set outside with the door not being removed. Councilman DiMiceli stated how that was in the crimes code and it was not an ordinance. Solicitor Yurchak stated that he had stopped in to see him and he promised to clean up the back yard. Mr. Phillips stated about all the stuff (items) that was piled up in the yard. He stated how the people who come to visit him see all of that junk. Councilman Sniscak, Jr. stated how he did drive by there and he was cleaning it up. He stated how he assumed that he cleaned it up. Solicitor Yurchak stated that he did not follow up or drive by to look at it. Mr. Phillips stated about them stopping by his house so they could see it. He stated how the Mayor and the Chief have seen the stuff. Mr. Phillips stated how it looked like he was putting a fence up next to his shed. President DeMarco stated how the Solicitor will follow up with him again.

### **POLICE REPORT**

Mayor Walck gave the Police Report for the month of May as follows:

\$1,042.46 fine money received from Magistrate Kosciolk; \$206.05 received in Carbon County Collections; \$174.41 received in DUI reimbursements, \$15.00 received in parking tickets; \$270.00 received in moving permits; \$105.00 received in accident reports; 446 total complaints received; 30 citations (2 non-traffic & 28 traffic); 6 criminal arrests and 5 illegals arrested; 12 traffic accidents (8 reportable & 4 non-reportable); 9 court appearances and the mileage total was 4,465 (1,045 – 2000 Crown Vic; 1,498 – 2008 Chevy Impala; 1,813 - 2003 Crown Vic; 109 - 2005 Expedition).

### **HOUSING & CODE ENFORCEMENT OFFICER'S REPORT**

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to accept the Police and Housing & Code Enforcement Report. All voted yes. Motion passed.

### **PLANNING COMMISSION REPORT**

- **BOCA Holding Corp. – Subdivision – Requesting lower fee**

Secretary-Treasurer Ahner stated how they had received an application from Boca Holding Corporation. She stated how they had figured a cost of \$6,360.00 for the Planning Subdivision Meeting. She stated how she had figured out a price of \$4,354.00. Secretary-Treasurer Ahner stated how Gene Kennedy was fine with the \$4,354.00 cost. She stated how they were requesting to pay \$1,000 and to be reimbursed any amount that was not used. President DeMarco stated how it was for the solar panels. Secretary-Treasurer Ahner stated how Boca Holding Corp owns the property and will be subdividing and selling a piece of property to Kovatch. President DeMarco stated about sending them a letter telling them what the planning cost would be.

Secretary-Treasurer Ahner stated how she was attempting to schedule the meeting for Wednesday, September 17, 2008 at 6:30 p.m.

### **CIVIL SERVICE COMMISSION**

Councilman Jacobs stated how they had discussed it before about sending letters out to the three members if they were still interested. Councilwoman Walck stated that they would like to get the matter settled.

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Councilwoman Walck moved and Councilman Jacobs seconded to send letters to the three Civil Service members asking if they were still interested (2 members) if they would rescind their resignation letters & (1 member) if he would like to be reappointed. All voted yes. Motion passed.

### **PANTHER CREEK ADVISORY REPORT**

No report. No meeting.

### **ENGINEER'S REPORT**

No report.

### **SOLICITOR'S REPORT**

- 07.31.08 Velitsky & Matika – Black/Royer CO Emissions
- 07.24.08 Robert T. Yurchak letter to Joseph Matika, Esq. – Black/Royer - CO Emissions
- 08.01.08 Joseph Matika, Esq. to Robert T. Yurchak – Black/Royer – CO Emissions
- 08.07.08 Velitsky & Matika – Black/Royer – CO Emissions

Solicitor Yurchak stated how they were asking the Borough to get involved and press charges against Mr. Royer. He stated how they want the Fire Company to get involved with it. He stated that he wanted a direction from Council as to what to do next. Councilman DiMiceli stated how there was not any carbon monoxide reading. He stated how it was a sulfur odor. Councilman DiMiceli stated that Officer Wuttke and himself went into the place, looked at the settings on the furnace, called Carl Faust, who had the settings written down and the settings on the furnace were not touched. Councilman DiMiceli stated that he did not know what they could do. He stated how he heard that there was a T-shirt was stuffed in the clean out outside. Solicitor Yurchak stated how they wanted the Code Enforcement Officer and the Fire Department to take action. Councilman DiMiceli asked what action could be taken. President DeMarco stated that there was nothing. Solicitor Yurchak stated how he explained to Mr. Matika that their ordinance only addressed Carbon Monoxide.

Councilman DiMiceli stated about amending the Ordinance. He stated how he was there and there was no reading when the Fire Department went into the house. Solicitor Yurchak stated about talking to John or Carl to see if there was anything they could do. Councilman DiMiceli stated that he would talk to John again.

- 07.24.08 Robert T. Yurchak letter to Robert Shubeck – complaints on contents of yard
- 07.24.08 Robert T. Yurchak letter to Panther Valley Creek – Truck hauling
- 07.24.08 Robert T. Yurchak letter to James Nanovic, Esq. – Street Opening Ordinance
- 08.06.08 PBSA letter to Robert T. Yurchak – Amusement Tax

Solicitor Yurchak stated how he received a response and they can not tax them unless the amusement originates from within the borough.

- Sample Ordinances on Outdoor Wood Burning Sheds

Councilman DiMiceli stated how the furnaces could burn anything. Solicitor Yurchak stated how the Ordinance restricts that.

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- Copy of Wind Farm Ordinances

Councilman DiMiceli stated to Solicitor Yurchak about getting a copy of the bill regarding the truck rollover at the bottom of the Broad Mountain and follow up on it as soon as possible.

Solicitor Yurchak stated how they did get paid on one of the citations that were filed.

Councilman DiMiceli asked Solicitor Yurchak if they could send a notice to PennDOT to have a driver's license suspended for non-payment of those bills. Solicitor Yurchak stated that they have to get a judgment first.

Councilwoman Walck moved and Councilman Jacobs seconded to accept the Solicitor's Report. All voted yes. Motion passed.

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**NESQUEHONING SAVINGS BANK TREASURER'S REPORT**

**GENERAL FUND**

Balance 06.30.08 564,556.18  
Receipts 44,363.13  
Expenditures 184,121.57  
Balance 07.31.08 424,797.74

**GENERAL SEWER CONSTRUCTION FUND**

Balance 06.30.08 8,689.19  
Receipts 12.96  
Expenditures .00  
Balance 07.31.08 8,702.15

**SPORTS COMPLEX FUND**

Balance 06.30.08 81.61  
Receipts .12  
Expenditures .00  
Balance 07.31.08 81.73

**SANITATION ESCROW**

Balance 03.31.08 27,105.66  
Receipts 8,771.86  
Expenditures 34,636.89  
Balance 06.30.08 1,240.63

**DEBT SERVICE**

Balance 06.30.08 1,120.51  
Receipts 1.67  
Expenditures .00  
Balance 07.31.08 1,122.18

**FIRE TRUCK FUND**

Balance 06.30.08 20,988.66  
Receipts 31.31  
Expenditures .00  
Balance 07.31.08 21,019.97

**CAPITAL PROJECT**

Balance 06.30.08 50,341.82  
Receipts 195.99  
Expenditures .00  
Balance 07.31.08 50,537.81

**SANITATION FUND**

Balance 06.30.08 169,744.67  
Receipts 102,534.49  
Sewer 30,730.20  
Expenditures 102,425.78  
Balance 07.31.08 139,123.18

**HIGHWAY FUND**

Balance 06.30.08 78,713.94  
Receipts 4,069.90  
Expenditures .00  
Balance 07.31.08 82,783.84

**PLANNING FUND**

Balance 03.31.08 9,688.00  
Receipts 24.12  
Expenditures .00  
Balance 06.30.08 9,712.12

**GENERAL SEWER FUND**

Balance 06.30.08 85,631.23  
Receipts 52,046.85  
Expenditures 43,950.68  
Balance 07.31.08 93,727.40

**SEWER OPERATING & MAINTENANCE**

Balance 06.30.08 47,364.30  
Receipts 30,595.75  
Expenditures 33,797.11  
Balance 07.31.08 44,162.94

**POLICE PENSION FUND**

Balance 06.30.08 423,304.29  
Receipts 21,930.59  
Expenditures 9,133.85  
Acct Appreciation 226.44  
Balance 07.31.08 436,327.47

**FEMA FUND**

Balance 06.30.08 3,011.98  
Receipts 4.49  
Expenditures .00  
Balance 07.31.08 3,016.47

**ACQUISITION & RENOVATION**

Balance 06.30.08 200,404.55  
Receipts 295.95  
Expenditures 2,500.00  
Balance 07.31.08 198,200.50

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**CD REPORT**

<b>FUND</b>	<b>CURRENT VALUE 07.31.08</b>	<b>INTEREST 07.31.08</b>	<b>OPENING DATE</b>	<b>CURRENT RATE</b>	<b>RENEWAL DATE</b>	<b>BANK</b>
PLANNING	\$ 14,580.32	\$ 36.52	5-08-05	4.05 %	8-15-09	NSB
GEN. SEWER	\$ 358,019.07	\$ 896.92	5-08-05	4.05 %	8-15-09	NSB
GEN. SEWER	\$ 11,087.33	\$ 32.66	2-28-08	3.60 %	11-29-08	NSB
DEBT SERVICE	\$ 12,896.14	\$ 32.30	5-08-05	4.05 %	8-15-09	NSB
DEBT SERVICE	\$ 98,199.74	\$ 10.51	6-02-05	3.92 %	6-02-10	NSB

Councilman Jacobs moved and Councilman DiMiceli seconded to approve the Treasurer’s Report and the CD Report. All voted yes. Motion passed

**EMERGENCY MANAGEMENT REPORT**

No report.

**MAYOR’S REPORT**

- 08.26.08 Ptlm. Timothy Wuttke – Request for old light bar for FOP

Councilman DiMiceli moved and Councilwoman Walck seconded to donate the old light bar in the basement to the FOP. All voted yes. Motion passed

- Resolution for Nesquehoning Hose Company 100<sup>th</sup> year Anniversary

Mayor Walck stated about a letter he received from Rosemary Porembo which stated “at their regular meeting of the Board of Education held last evening . . . , the following motion was approved that the Board of Education approved the funding for five crossing guards in the town of Nesquehoning. Motion carried.”

Councilman DiMiceli stated that he wanted Council to approve sending a letter to the School Board requesting the sixth crossing guard. He stated how they do not want them eliminated because they have a need for them. He stated how he was sorry for the way the other towns felt; but they have a traffic problem and 900+ children down at the Elementary School.

Councilman DiMiceli stated how he wanted to put that in the form of a motion. Councilman Sniscak, Jr. seconded it.

President DeMarco stated how he heard that Ken Marx apologized to Council for the erroneous information he sent out. He asked Solicitor Yurchak what happened with the sixth crossing guard. Solicitor Yurchak stated how he could not speak for them, but he thought that it was a budgetary move.

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Ted Dacey asked what their duties were down at the school. Secretary-Treasurer Ahner stated how it was to cross the children. Mr. Dacey stated about how they direct traffic for the buses and the teachers. He stated how they should not be allowed to do that. Councilman Jacobs stated how he had mentioned something to one last year. President DeMarco stated how they were only there to cross the children.

President DeMarco asked Councilman DiMiceli if he would like to amend his motion to have them pay until the end of 2008 because of the timing. He stated about out of consideration for the confusion and the last minute decision.

Councilman DiMiceli amended his motion that the letter request that they pay until the end of the year and they will re-address the sixth crossing guard again in January. Councilman Sniscak, Jr. amended his second. All voted yes. Motion passed.

Mayor Walck stated that the next Crime Watch meeting would be September 2, 2008 at 7:00 p.m. at the Borough Building.

Councilman Jacobs moved and President DeMarco seconded to accept the Mayor’s Report. All voted yes. Motion passed.

**TAX COLLECTOR’S REPORT**

01 July – 31 July 2008

Real Estate	\$42,128.15
Occupation	2,310.00
Per Capita	<u>1,960.00</u>
Total	\$46,398.15

Councilman DiMiceli moved and Councilman Jacobs seconded to accept the Tax Collector’s Report. All voted yes. Motion passed.

**APPLICATIONS:**

- Penn, Richton E. – Police Officer
- Swartz, Robert R. – Crossing Guard
- Freiling, Dave J. - Maintenance/Anything
- Bill Curilla – Part-time Police Officer
- Robert Minnick – Part-time Police Officer

**COMMUNICATIONS:**

1. 07.23.08 Keith R. McCall – NEPA extended its computer equipment purchase program
2. 07.28.08 Robert J. Marouchoc – Commercial Zoning
3. 07.31.08 Frank DiMiceli – New body armor standards
4. 07.31.08 PSAB – Update
5. 07.31.08 Michael S. Greek letter to Joseph C. Lawrence – Zoning Hearing Board – Rte. 54
6. 07.31.08 Paul E. Kanjorski – Illegal aliens – ICE training
7. 08.01.08 Roberti & Roberti – Fred Cross, West Coal Street
8. 08.04.08 DCED – Natural Gas Exploration & Drilling

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9. 08.04.08 Cohen Law Group – Free Legal Assessment for Cable Franchise Negotiations
10. 08.05.08 Kristin Lightcap – Omega Systems, I.T. consulting firm
11. 08.06.08 John P McArdle – Fire inspection – ReDCo Group
12. 08.07.08 PA Liquor Control Board – new software package
13. 08.08.08 DCED – Bookkeeping & Accounting basics
14. 08.08.08 Carl E. Faust letter to Fred Cross – need new permits for your projects
15. 08.11.08 PIBH – Customer Survey
16. 08.11.08 PIRMA – Annual Membership Report
17. 08.12.08 John McArdle – Commonwealth of PA, Fire Service Certification Advisory Committee
18. 08.13.08 The ReDCo Group – Annual Fire Inspection
19. 08.13.08 Edward J. Gaydos, Inc. – Amendment, Lansford-Coaldale Joint Water Authority Watery Supply System Modifications – Water Storage Tank
20. 08.14.08 PSAB – Fall Leadership Conference
21. 08.14.08 Verizon – Monthly Fee
22. 08.15.08 DCED – Basic Training for Municipal Tax Collector Qualification
23. 08.15.08 Nesquehoning Hose Co. #1 – 100<sup>th</sup> Celebration
24. 08.18.08 DEP – Coal Exploration – Kovatch Enterprises
25. 08.18.08 DEP – Annual Bond Review for 2008 – Panther Creek Partners
26. 08.18.08 Kovatch Enterprises – Registration Form for a GP-11 Permit
27. 08.20.08 CC Action Committee – Representation on CCACHS Board of Directors
28. 08.22.08 PennDOT – Back to school safety reminders for motorists, students
29. 08.22.08 Panther Valley SD – Crossing Guards
30. 08.25.08 PA Department of L & I letter to Michael HineLine – Complaint investigation
31. 08.25.08 NEPA – Municipal Road Maintenance & Safety Training
32. 08.26.08 Panther Valley SD – Revised letter concerning crossing guards
33. 08.27.08 CMX – Certified Commercial Construction Code – Third Party Agency
34. 08.27.08 DCED – New procedures for submitting your PennDOT & DCED Forms

Councilman DiMiceli moved and Councilwoman Walck seconded to approve all communications and accept all the applications and place them on file. All voted yes. Motion passed.

### **BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS**

Councilman Jacobs moved and Councilwoman Walck seconded to deposit all receipts, approve all bills to be ratified and pay all other bills including the expenditures of the Home Program. All voted yes. Motion passed.

### **COMMITTEE REPORTS**

#### **1. STREETS**

**MARK STROMELO, CHAIRMAN; DON DeMARCO, CO-CHAIRMAN;  
MICHAEL SNISCAK, JR**

- 08.15.08 Jeremy Kattner – Curb Cut Request

Councilman DiMiceli moved and Councilman Hawk seconded to approve the curb cut permit for Jeremy Kattner at 39 W. Center. (The rear of the property on Railroad Street) All voted yes. Motion passed.

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- Approval for the purchase of two (2) weed whackers

Councilwoman Walck moved and Councilman DiMiceli seconded to approve the purchase of the two new weed whackers.

Councilman DiMiceli stated how if somebody needs something they could get in touch with a Council Member on the Purchasing Committee. He stated how there should be a threshold that purchasing can approve a purchase up to a certain amount. Solicitor Yurchak stated how they would need to get three bids over \$4,000. Councilman DiMiceli stated how he would feel comfortable with \$1,000. Councilwoman Walck and Councilman Jacobs stated how they thought that \$1,000 was a reasonable amount. President DeMarco stated about it being for one item.

All voted yes for the weed whackers. Motion passed.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to grant the Purchasing Committee the authority, between meetings, to approve purchases up to \$1,000 per item, not to exceed four items. All voted yes. Motion passed.

Councilman DiMiceli stated about how Tamaqua purchased their street lights. He stated how he had talked to the gentleman who handled Tamaqua's project. Councilman DiMiceli stated about him looking at the Borough's bills, doing a feasibility study and presenting it to Council. He stated how the Council Member from Tamaqua told him how they were saving a lot of money. President DeMarco stated how if it was not going to cost them anything to do the study, to let them do it. Councilman DiMiceli stated how the presentation would take an hour. President DeMarco stated how they would hold a special meeting.

Secretary-Treasurer Ahner stated how the bids were opened at 2:00 p.m. that day and the results were as follows:

### **Road Material Bids**

#### Lehigh Asphalt –

2B - \$10/ton FOB \$17.50 Delivered  
2A - \$8/ton FOB \$15.50 Delivered  
Superpave Base - \$75.50/ton FOB \$89.25 Delivered  
Superpave Wearing - \$90.50/ton FOB \$103.25 Delivered  
Sand - \$14.00/ton FOB \$21.50 Delivered  
\$65.00/per hour wait time

#### Hanson Aggregates –

2B - \$8/ton FOB \$18.00 Delivered  
2A - \$6/ton FOB \$16.00 Delivered  
Superpave Base - \$68.00/ton FOB Delivered – pricing based on August PennDOT Asphalt Index \$834.00. Escalation will be billed at time of purchase.  
Superpave Wearing - \$80.00/ton FOB Delivered – pricing based on August PennDOT Asphalt Index \$834.00. Escalation will be billed at time of purchase.  
Sand - No bid  
\$85.00/per hour wait time

Councilman Jacobs moved and President DeMarco seconded to award all of the Road Construction Materials to Lehigh Asphalt. All voted yes. Motion passed.

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**Road Reconstruction Bids**

Barletta Materials	-	\$99,168.35	total
Cedar	-	\$61,035.00	
Marconi	-	\$38,133.35	
Hazleton Site	-	\$82,265.60	total
Cedar	-	\$50,725.00	
Marconi	-	\$31,540.60	

Hazleton Site Contractors bid with an escalator clause. Bids were not to include escalator clauses.

Councilman DiMiceli asked if they could accept that bid. Solicitor Yurchak stated how they should reject the bid from Hazleton Site because it does not comply with the specifications. Secretary-Treasurer Ahner stated how she talked to Ron Tirpak concerning the bids and the escalator clause. She stated how Mr. Tirpak told her that they might not be able to pay for the project out of Liquid Fuels if they go with Hazleton Site because they did not comply with the bid specifications. Secretary-Treasurer Ahner stated how if they did not want to do both projects, Mr. Tirpak did give her a breakdown of the projects. She stated how he wanted to see Marconi Avenue done and how they could leave Cedar Street for the spring. President DeMarco stated how they have to throw out the bid from Hazleton Site because they added the escalator clause.

Councilman DiMiceli moved and Councilman Jacobs seconded to award the bid for just Marconi Avenue in the amount of \$38,133.35 to Barletta Material. All voted yes. Motion passed.

President DeMarco state how the pipe had been installed on Garibaldi Avenue and it was a nice job. He stated how it was cheaper than they had originally planned. President DeMarco stated how Mr. Strauss gave them permission to cut back on his property so they could drop it down. President DeMarco stated how he also saw Radocha’s equipment up on the other end. Councilman Hawk stated how they were up on the far west end of Marconi Avenue. He stated how they broke a sewer line up there.

Mayor Walck asked if there was anything that they could do on Cedar Street. President DeMarco stated how they were going to take a look, do some saw cuts and then fill them in. He stated how they could not do anything about the bottom. Councilman DiMiceli stated how the blocks that were painted down on Mill Street needed to be blackened out. Larry Fox stated how they would get to it.

**2. SEWER                      DAVID HAWK, CHAIRMAN; FRANK JACOBS, CO-CHAIRMAN;  
FRANK DiMICELI**

Secretary-Treasurer Ahner stated how the Liquid Sludge bids were also opened at 2:00 p.m. and they were as follows:

**Liquid Sludge Removal**

R.C. Stahlnecker	-	8.20 cents per gallon
Aqua Wastewater	-	10.5 cents per gallon
US Environmental	-	9.25 cents per gallon
Russell Reid Waste	-	8.37 cents per gallon
Biros Septic	-	7.97 cent per gallon
Liquid Motion	-	7.20 cents per gallon

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Councilman Jacobs moved and Councilman Hawk seconded to award the bid to Liquid Motion at 7.2 cents per gallon. All voted yes. Motion passed.

Councilman Hawk stated that David Digilio ran into some problems with Coyne Chemical, who they awarded the degreaser to, with getting the product delivered. He stated how they were not responding to his request to get it delivered. Councilman Hawk stated how he was completely out so he told him to place an order with Independent Chemical.

Councilman Hawk moved and Councilman DiMiceli seconded to amend the motion of the awarding of their chemical bid for the floating degreaser to Independent Chemical. All voted yes. Motion passed.

### **3. BUILDINGS FRANK JACOBS, CHAIRMAN; ROSE WALCK, CO-CHAIRMAN; DON DeMARCO**

Councilman Jacobs stated how they have four used computers from the offices. He stated about deleting the information on them and selling them. Councilman DiMiceli asked how much it would cost to delete everything. Councilman Hawk stated how it would not be much at all. Councilman DiMiceli stated about making sure there was no information on the police computers. Secretary-Treasurer Ahner stated how she thought that they were already cleared by iTim. She stated about keeping Shawn's computer because they were unable to transfer the old billing system. She stated how they sometimes refer back to the old system and it was only a matter of switching some wires. President DeMarco stated about figuring out a price.

### **4. POLICE MICHAEL SNISCAK, JR, CHAIRMAN; FRANK DiMICELI, CO- PUBLIC SAFETY CHAIRMAN; DAVID HAWK**

Councilman Sniscak, Jr. stated how he checked into the police car. He stated how he called GM who sent him over to Chevy. He stated that after a half hour, he finally got to the fleet police car division. Councilman Sniscak, Jr. stated that, as they said, no three things had ever happened. Councilman Sniscak, Jr. stated how the guy asked if they were fixing it and he told him "yes". He stated how the guy asked if it was under warranty and he told him "yes". Councilman Sniscak, Jr. stated that the guy asked "what was the problem".

Councilman Sniscak, Jr. stated that if the warranty would run out (1) there were no representatives anymore, they have to go through the dealer; (2) he asked him who the dealer was that was repairing it, Kovatch Buick. He stated how the guy asked him if they bought a Buick or a Chevy and he told him that it was a Chevy. Councilman Sniscak, Jr. stated how the guy told him that it was a fleet car and a police car and how it should not be serviced by a Buick dealer. He stated how he was told that it was to be sent to a Chevy dealer. Councilman Sniscak, Jr. stated that, from now on, they should send it down to Lehighton to the Chevy dealer so if anything goes wrong, they were covered. Councilman Sniscak, Jr. stated how he mentioned about the cylinders and the guy advised him to take it to the Chevy dealer to have them go over it.

Mayor Walck stated how he had the printout from the Buick garage. He stated how they have a 3-year, 36,000 mile bumper-to-bumper warranty. Mayor Walck stated how the work was done under warranty and it was for the air conditioning system, fuel injector replacement and a rear wheel spindle. He stated that the only thing the Borough paid for was oil changes.

## **MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL**

Wednesday, August 27, 2008 at 7:00p.m., Borough Office

Councilman Sniscak, Jr. asked how much time they have left. Mayor Walck stated "two years".

Councilman DiMiceli stated how they were saying that it was up in September. President DeMarco stated how that was what he was told. Councilman Sniscak, Jr. stated how they have two years yet. Mayor Walck stated about bringing the Chevy back out. He stated that when they heard how there were all these problems, they parked it. Mayor Walck stated how they had also received the new white Crown Vic that night.

Councilman Sniscak, Jr. moved and Councilman DiMiceli seconded that the Public Safety Committee be authorized to review all officers personnel records excluding medical.

Tom Merman asked what the reason was for that. Councilman Sniscak, Jr. stated how they were going to write up a Personnel Policy and they will review all files prior to writing the policy. Mayor Walck asked if it was a review with the officer's permission. President DeMarco stated that it had to be. He stated that they have to give notice that they were doing it. Councilman Sniscak, Jr. stated how he had asked all of the officers and they do not have a problem with it. Councilman DiMiceli stated how they would not be looking at any medical records or anything like that. He stated how it was attendance records, letters of commendations or any letters of reprimand. He stated how they were not taking anything out. Councilman DiMiceli stated how they were going to review and come back to Council and adopt the Policy and come back to Council with some suggestions.

All voted yes. Motion passed.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to hire part-time Officer William Curilla contingent on him passing the physical, drug, psychological, obtain his MOPEC number and qualifies for the department firearms, at the current rate of pay (\$12.50 per hour).

Councilman Jacobs asked about him driving with the officers. Councilman DiMiceli stated how he can ride with the officers, learn the radio system, learn the reports (paperwork), learn the town and meet the people. He stated how he was not allowed to carry a weapon until he receives his MOPEC number.

All voted yes. Motion passed.

Councilwoman Walck stated how she wanted to go back to the reviewing of the records. She asked who was going to be doing that, taking out the medical. Councilman DiMiceli stated how Secretary-Treasurer Ahner would give them what they could have. He stated that she would give them to Councilman Hawk, Councilman Sniscak, Jr. and himself to review.

Councilman DiMiceli stated about purchasing the new officer a vest, a couple of uniforms, a jacket and a hat. Councilwoman Walck asked if it would stay in the event he would leave. Councilman Hawk stated "yes".

Mayor Walck stated how they saved \$900 on a new radio because officer Breiner wanted the old radio.

### **5. SANITATION      MARK STROMELO, CHAIRMAN; DAVID HAWK, CO-CHAIRMAN; FRANK DiMICELI**

No report.

**MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL**

Wednesday, August 27, 2008 at 7:00p.m., Borough Office

**6. RECREATION      DAVID HAWK, CHAIRMAN; MARK STROMELO, CO-CHAIRMAN;  
DON DeMARCO**

No report.

**7. BUDGET              DAVID HAWK, CHAIRMAN; FRANK JACOBS, CO-CHAIRMAN;  
DON DeMARCO**

Councilman Hawk stated how they were going to start working on the budget. He stated that if anybody was looking to buy anything, they should get their written request in.

**8. PURCHASING      ROSE WALCK, CHAIRWOMAN; FRANK JACOBS, CO-CHAIRMAN;  
FRANK Di MICELI**

No report

**9. FIRE/AMBULANCE      FRANK DiMICELI, CHAIRMAN; DAVID HAWK, CO CHAIRMAN;  
PUBLIC SAFETY              MICHAEL SNISCAK, JR**

Councilman DiMiceli stated how an inspection was done by the Borough's Fire Marshall for the ReDCo Group. He stated how they needed a fire inspection done by a certain date.

Councilman DiMiceli stated that, for grant purposes, they needed to pass a Resolution recognizing the three fire companies (Nesquehoning Hose Co. #1, New Columbus Fire Company and Hauto Volunteer Fire Company), Nesquehoning Ambulance Association and ALS from Leighton as primary responders for Nesquehoning. He stated how it had to do with them making grant applications from the Department of Agriculture and Homeland Security.

Councilman DiMiceli stated how they finally have a sand pile. He stated how they used what little sand they did have down at the truck accident.

Councilman DiMiceli stated that John McArdle needed to purchase manhole cover covers. He stated how they used them when they had the truck rollover at the bottom of the Broad Mt. Councilman DiMiceli stated about a Resolution to change the rate for the response vehicles and the Borough vehicles.

Councilman Hawk moved and Councilman DiMiceli seconded to give Hauto the fund that they set aside for them for the fire truck (\$5,000). All voted yes. Motion passed.

**JR. RECREATION COMMISSION**

No report

**NEW BUSINESS**

Councilman Jacobs moved and President DeMarco seconded to allow the office personnel to destroy the utility bills up to July 31, 2001. All voted yes. Motion passed.

Councilman Sniscak, Jr. moved and President DeMarco seconded to allow Secretary/Treasurer Ahner to switch the phone company to Verizon, if it does not exceed what they were paying now. All voted yes. Motion passed.

**MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL**

Wednesday, August 27, 2008 at 7:00p.m., Borough Office

**OLD BUSINESS**

No old business.

**ADJOURNMENT**

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:31 p.m.

*RoniSue Ahner*

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RoniSue Ahner  
Secretary-Treasurer