

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

Wednesday, July 23, 2008 at 7:00p.m., Borough Office  
114 W. Catawissa Street, Nesquehoning, PA 18240

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

President DeMarco called the meeting to order at 7:00 p.m.

**MINUTES:** Approve the minutes from the Regular Meeting held on June 25, 2008.

Mayor Walck stated about the second paragraph on page 4 concerning how Councilman DiMiceli rescinded his motion. Mayor Walck wanted to clarify on how the Civil Service Members did not refuse to attend a meeting with the Council Members but according to the Sunshine Law they were not allowed to meet with the Council Members in an Executive Session. He stated that he did not want anyone to think that since they did not have a meeting that they were accepting their resignations.

Councilman Jacobs moved and President DeMarco seconded to approve the June 25, 2008 Regular Meeting Minutes.

Councilman Stromelo stated about the problems at 105/107 West Mill Street. He stated how he read that they were corrected. He stated that he would like to know how they addressed the sewer issues. Councilman DiMiceli stated how they had received a letter stating that it was corrected. Councilman Stromelo stated how he had not seen anybody there to fix it. President DeMarco stated that they should get in touch with them. Chief Smith stated how Mike Radocha was down there and said that there were problems. He stated how Barry Isett was in and said that they did not want to be involved in stuff like that. President DeMarco stated that if it was not straightened out, they should call Carl Faust. Chief Smith stated how their windows were always wide open from the smell. Councilman Stromelo stated how it always stinks down there. Chief Smith stated how Council did not want to have one inspector against the other inspector. He stated how the property owner was going to have a letter from Barry Isett stating how everything was okay.

President DeMarco stated that from now on, they will only get Mr. Faust. Chief Smith stated how at that time, it was an emergency situation and they could not get a hold of Mr. Faust. Councilman Jacobs asked what they were supposed to do if that situation would happen again. Councilman DiMiceli stated how he had specifically asked them about following through with complaints. He stated that if they were going to pick and choose, they were not going to use them for anything. President DeMarco stated how they have nothing to do with them. He stated how the people in town have the right to choose. President DeMarco stated how they would get Mr. Faust when it comes to the slumlords. He stated about what emergency because it was still there and it was still happening. Councilman DiMiceli state how one of the issues was the sewer gas, which was the emergency. President DeMarco stated that they did not listen anyway. He stated that they were only going to use Mr. Faust.

Councilman Stromelo stated about the discussion concerning Liquid Fence. He stated how he had received several complaints about the odor. Councilman Jacobs stated how he had talked to Mr. Faust and they do have to stay on top of it.

All voted yes. Motion passed.

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### **HEARING OF VISITORS**

Rudy Phillips – 10 W. Catawissa Street – stated about his neighbor with all of the junk in the yard. He stated that at the last meeting, Councilman Sniscak, Jr. said how he was cited and he appealed. Mr. Phillips asked if anything happened with the appeal. He stated how it was all still there and how it has been an ongoing problem for over two years. Mr. Phillips asked who he appealed to (Council or Court) so he could find out what happened. Councilman Sniscak, Jr. asked Solicitor Yurchak if he received a letter. Solicitor Yurchak stated how he has done several letters to Mr. Shubeck. President DeMarco stated how Solicitor Yurchak would check into it. Mr. Phillips stated that he would really like to know if it was appealed or if he was just told that he appealed it. President DeMarco stated how Solicitor Yurchak was not at the last meeting. He stated that Solicitor Yurchak will check into it and will give the information to the office. He stated how Mr. Phillips should call the office in a couple of days. Mayor Walck stated about who the appeal was made to. Councilman Stromelo stated that if he was cited, he would have to appeal to the Magistrate. Councilman DiMiceli stated that if he was cited, he would have to request a hearing or pay a fine. Councilman Sniscak, Jr. stated how they do not get anything back to know what was going on. Councilman DiMiceli stated that if the citation was filed at some point there should be a hearing notice or a disposition of whether he pled guilty or not. He stated how that would come to the Police Department.

Mayor Walck asked Councilman Sniscak, Jr. how he knew that it was appealed. Councilman Sniscak, Jr. stated that the courts did not have to notify the Council. Councilman DiMiceli stated how the Police would get notified that it was appealed. Mayor Walck stated that at the last meeting Councilman Sniscak, Jr. said how they were cited, the Solicitor was working on it and they had appealed it. He stated that he wanted to know how Councilman Sniscak, Jr. knew that it was appealed. Councilman Sniscak, Jr. stated that if they do not get a letter on the appeal, they will not know what was going on. He stated that the courts do not have to tell them that this person was appealing.

Councilman DiMiceli asked Chief Smith if he was cited. Chief Smith stated “no”. Mr. Phillips stated how Councilman Sniscak, Jr. said that he was cited. Chief Smith stated how it was a misunderstanding. He stated that he was supposed to write a letter to Solicitor Yurchak. He stated how the follow-up letter Solicitor Yurchak sent was concerning abandoned vehicles. Mr. Phillips asked about the garbage. Solicitor Yurchak stated how he did not know anything about it until he read the minutes. He stated that he would get with Chief Smith and get it moving forward. Solicitor Yurchak stated that there was progress made at one point in time.

Bob Marouchoc – 27 N. Almond Street – stated how it had been four months since he was complaining about the Stempa dump within 200 yards of his property. He stated that it had been three months since Solicitor Yurchak said that he had spoken to Mr. Stempa and could almost quote him “. . . and I don’t want to come back to you and talk about this again in 3 or 4 months”. Mr. Marouchoc stated that nothing had been done except to move a dilapidated, rusty trailer onto the property. He stated that he does not understand why someone could not make a motion to send Mr. Stempa a certified letter and give him a deadline to clean it up, comply with the Ordinance or be fined. He stated about getting it on record and doing it.

Mr. Marouchoc stated how they were backing him into the corner and he was not going to back down to see his property lose value. He stated that he did not want visitors to come to this area and ask him what that was down there. He stated that if something was not done soon, he would seek legal guidance against the Borough.

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Councilman Sniscak, Jr. moved to send a letter to Mr. Stempa with a time frame to clean up or be cited.

President DeMarco stated how the fines would be based on the Ordinance they have in place.

Councilman DiMiceli asked if it would not be a direction to the Police Department to enforce the Ordinance. He stated how they would not need a motion to do that. He stated that between Gene Kennedy and the Police, it had come to a point where something has to be done. Solicitor Yurchak stated that Gene Kennedy said that he was in compliance with zoning. Councilman DiMiceli stated that he was in compliance with zoning but did that mean he was in compliance with the Ordinance. Solicitor Yurchak stated how he had not physically visited the property. Chief Smith stated that he talked to Gene Kennedy about the junk cars. He stated how he was zoned commercial and they could not touch them. Chief Smith suggested if they were going to make the motion, they should define the violations and give an ultimatum, it had to be done by a certain date or they were going to do that. Chief Smith stated that it had to be more specific. Councilman Hawk asked if it was determined what he was in violation of. Solicitor Yurchak stated how he was not in violation of zoning. Chief Smith stated how a lot of what was approved in zoning goes against the Borough Ordinances, especially on commercial property.

Chief Smith stated about how the road being blacktopped was discussed. He stated that the junk and everything. . . they should talk to Gene Kennedy. Solicitor Yurchak stated how he was in compliance with zoning. Chief Smith stated that if he was in compliance with zoning and their Ordinance states about abandoned vehicles, they cannot touch them. Councilman DiMiceli stated that just because the property was zoned commercial, there were different kinds of commercial property. Chief Smith stated how he was allowed so much stuff and vehicles were considered repairable.

Chief Smith stated how it was not the Police Department, they did their job. He stated how he was in contact with Solicitor Yurchak and Gene Kennedy on everything. Solicitor Yurchak stated how he wanted to review the subdivision plans. Councilman Hawk asked other than the zoning and the Ordinances was there anything in the planning. Chief Smith stated that he knew how the road was supposed to be paved. Solicitor Yurchak stated how they have been trying to locate the plans. Councilman Hawk stated that usually when planning makes a recommendation with items, they send them a letter. Chief Smith stated that he did not know and they should talk to Gene Kennedy.

Cy Hrebik stated how they should get in touch with Ron Tirpak because he would know about the paving. Councilman Jacobs stated about it being paved or dust free. Mr. Hrebik stated how it was supposed to be paved because they did not want residents from Mill Street coming in saying how they were getting dust. He stated that Mr. Stempa wanted a little time to do it. Mr. Hrebik stated how he thought that Mr. Tirpak would have something on record. Councilman Hawk stated that, to the best of his knowledge, he was at the planning meeting when they reviewed the plan because of a water line. He stated that if it was a final review, he does not know. Councilman Hawk stated that his recollection was how he did make a statement on how it was going to be a paved road. Chief Smith stated about how he was not supposed to cut trees so there was a natural blind.

Chief Smith stated how Gene Kennedy talked to him about fencing to conceal it. He stated that he did not know how far he got with that. Chief Smith stated how he was going to put the slate down. Solicitor Yurchak stated how he had told him to wait until they could confirm what he was supposed to be putting on the road. Chief Smith asked "under planning?". Solicitor Yurchak stated how they were unable to locate the planning documents.

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Councilman Jacobs stated how even the roadway had nothing to do with what Mr. Marouchoc was talking about, which was what could be seen. Chief Smith stated how he could not go down and order him to put fencing up. He stated how it should come from Council. Solicitor Yurchak stated that he would talk to Ron Tirpak in the morning.

Mr. Marouchoc stated how the fencing and the road was secondary to him. He stated about the Council members stopping at the bottom of the hill and looking over at the property. Mr. Marouchoc stated how he was not just talking about the abandoned vehicles. He stated about the oil drums and the garbage. He stated that with the equipment Mr. Stempa had, it would take him a day or two to clean it all up. Mr. Marouchoc handed pictures to the Council.

Mr. Marouchoc stated that it was the site, what people see from the trains, what he has to look at and what his neighbors have to look at. He stated how Mr. Stempa defies Council because he could have made some attempt to clean up the garbage, which has nothing to do with vehicles. Mr. Marouchoc stated that he did not care if the property was zoned commercial. He stated how Mr. Stempa has no pride in himself, his business or the Borough. President DeMarco stated how they will give it one more shot with Ron Tirpak to see what was supposed to be done.

Councilman DiMiceli stated how it was mentioned about a fence. He stated that the way the property was located, with the grade, they could put up a 10' fence and it would not hide it. President DeMarco stated about cleaning up the property. Chief Smith asked if he was in violation of zoning, wouldn't be up to zoning to eradicate everything. President DeMarco stated how that was what he was going to talk to Ron Tirpak about. He stated that they were taking the heat for what they were supposed to do. He stated how they will get in touch with Ron Tirpak and how it was no longer a Police matter.

Gary Poremba asked if they were going to do any patch work this year on the holes that were dug up on the streets. Councilman Stromelo stated how they would be addressed within the next two weeks.

### **POLICE REPORT**

Chief Smith gave the Police Report for the month of May as follows:

\$788.97 fine money received from Magistrate Kosciolk; \$151.97 received in Carbon County Collections; \$0.00 received in DUI reimbursements, \$80.00 received in parking tickets; \$375.00 received in moving permits; \$105.00 received in accident reports; \$0.00 received for Restitution; 397 total complaints received; 26 citations (5 non-traffic & 21 traffic); 9 criminal arrests; 2 felony arrests; 9 traffic accidents (2 reportable & 7 non-reportable); 16 court appearances and the mileage total was 3,422 (684 – 2000 Crown Vic; 1,410 – 2008 Chevy Impala; 1,328 - 2003 Crown Vic; 0 - 2005 Expedition).

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

Chief Smith stated that the Mayor and the Police & Public Safety Committee had copies of his code report and they all had a copy of Officer Blisard's code report. He stated how most of the code reports were in regards to high grass and abandoned vehicles. Chief Smith stated how they have three inspections scheduled with Carl Faust. Mayor Walck asked if he took care of the high grass on Mill Street. Chief Smith stated how he had taken care of that with Secretary/Treasurer Ahner.

Councilman DiMiceli moved and Councilman Jacobs seconded to accept the Police and Housing & Code Enforcement Reports. All voted yes. Motion passed.

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### **EXECUTIVE SESSION** (if needed)

Borough Council entered into an Executive Session at 7:35 p.m. for personnel reasons regarding the police department. The Council Members exited their Executive Session at 7:57 p.m.

### **PLANNING COMMISSION REPORT**

No report.

### **CIVIL SERVICE COMMISSION**

No report.

### **PANTHER CREEK ADVISORY REPORT**

Bob Marouchoc stated how their letter was received regarding not hosing the trucks off. He stated how they forwarded the letter to Mr. Yeager requesting as much as they could without demanding. Mr. Marouchoc stated how they were also watering down the railroad tracks at the crossing to keep the dust down.

### **ENGINEER'S REPORT**

No report.

### **SOLICITOR'S REPORT**

#### ➤ 07.15.08 Nanovic Law Offices – Emergency water line repairs

Councilman DiMiceli stated how it was not their intention to stop them from opening the street in the event of an emergency. He stated how they have never notified them when opening a street.

Solicitor Yurchak stated how they should not just let the emergency go because they can notify the Borough at the next reasonable opportunity. Councilman DiMiceli stated how if it was an emergency, they could notify the Borough on the next business day. Councilman Jacobs stated that the best one he had seen was the one they did on Tippetts Road. He stated how they have done them on Yard Street, Laurel Street and Cedar Street and never contacted the Borough. Councilman DiMiceli asked if Solicitor Yurchak was going to write back, could he ask them if they color coded their hydrants.

Solicitor Yurchak stated how he had completed his research on the New Columbus Cemetery. He stated how they had the authority to transfer it. He stated how there was a subdivision, which was approved by a previous Council in 1988 and it included the roadway. Solicitor Yurchak presented a copy of the subdivision. He stated that he will give a copy to Mr. Fauzio. Councilman Hawk asked who owned the road now. Solicitor Yurchak stated that Mr. Pecha owned it and it was subject to reverting back to Hauto Valley if they develop beyond that.

Solicitor Yurchak stated how he had drafted a personnel file policy and that it should go to a committee for review. Councilman DiMiceli stated how he was suggesting that they take someone from each committee (streets, sewer, police).

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President DeMarco stated how the members of each committee should review the policy and then report back to the committee chairman. He stated how they could let Solicitor Yurchak know what changes to make for Council's approval.

Solicitor Yurchak stated how he did not receive a reply from the Co Generation regarding the bridge.

Solicitor Yurchak stated about filing complaints for collections on the absorbent materials used during emergency responses. He stated how it referred to the hazardous materials ordinance for when fire companies respond to help with a clean-up after an accident.

Councilman DiMiceli moved and Councilman Stromelo seconded to file the complaints for the absorbent materials payments. All voted yes. Motion passed.

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**NESQUEHONING SAVINGS BANK TREASURER'S REPORT**

**GENERAL FUND**

|                  |            |
|------------------|------------|
| Balance 05.31.08 | 238,786.98 |
| Receipts         | 414,532.22 |
| Expenditures     | 88,763.02  |
| Balance 06.30.08 | 564,556.18 |

**GENERAL SEWER CONSTRUCTION FUND**

|                  |          |
|------------------|----------|
| Balance 05.31.08 | 8,676.52 |
| Receipts         | 12.67    |
| Expenditures     | .00      |
| Balance 06.30.08 | 8,689.19 |

**SPORTS COMPLEX FUND**

|                  |       |
|------------------|-------|
| Balance 05.31.08 | 81.49 |
| Receipts         | .12   |
| Expenditures     | .00   |
| Balance 06.30.08 | 81.61 |

**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 05.31.08 | 1,118.88 |
| Receipts         | 1.63     |
| Expenditures     | .00      |
| Balance 06.30.08 | 1,120.51 |

**FIRE TRUCK FUND**

|                  |           |
|------------------|-----------|
| Balance 05.31.08 | 20,958.06 |
| Receipts         | 30.60     |
| Expenditures     | .00       |
| Balance 06.30.08 | 20,988.66 |

**CAPITAL PROJECT**

|                  |           |
|------------------|-----------|
| Balance 05.31.08 | 49,908.68 |
| Receipts         | 433.14    |
| Expenditures     | .00       |
| Balance 06.30.08 | 50,341.82 |

**SANITATION FUND**

|                  |            |
|------------------|------------|
| Balance 05.31.08 | 144,210.81 |
| Receipts         | 108,800.09 |
| Sewer            | 7,839.34   |
| Expenditures     | 75,426.89  |
| Balance 06.30.08 | 169,744.67 |

**HIGHWAY FUND**

|                  |           |
|------------------|-----------|
| Balance 05.31.08 | 78,599.18 |
| Receipts         | 114.76    |
| Expenditures     | .00       |
| Balance 06.30.08 | 78,713.94 |

**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 05.31.08 | 106,021.18 |
| Receipts         | 8,057.23   |
| Expenditures     | 28,447.18  |
| Balance 06.30.08 | 85,631.23  |

**SEWER OPERATING & MAINTENANCE**

|                  |           |
|------------------|-----------|
| Balance 05.31.08 | 22,982.94 |
| Receipts         | 45,491.79 |
| Expenditures     | 21,110.43 |
| Balance 06.30.08 | 47,364.30 |

**POLICE PENSION FUND**

|                   |            |
|-------------------|------------|
| Balance 05.31.08  | 454,710.21 |
| Receipts          | 1,780.70   |
| Expenditures      | 8,075.59   |
| Acct Depreciation | 25,111.03  |
| Balance 06.30.08  | 423,304.29 |

**FEMA FUND**

|                  |          |
|------------------|----------|
| Balance 05.31.08 | 3,007.59 |
| Receipts         | 4.39     |
| Expenditures     | .00      |
| Balance 06.30.08 | 3,011.98 |

**ACQUISITION & RENOVATION**

|                  |            |
|------------------|------------|
| Balance 05.31.08 | 200,117.19 |
| Receipts         | 287.36     |
| Expenditures     | .00        |
| Balance 06.30.08 | 200,404.55 |

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**CD REPORT**

| <b>FUND</b>  | <b>CURRENT<br/>VALUE<br/>06.30.08</b> | <b>INTEREST<br/>06.30.08</b> | <b>OPENING<br/>DATE</b> | <b>CURRENT<br/>RATE</b> | <b>RENEWAL<br/>DATE</b> | <b>BANK</b> |
|--------------|---------------------------------------|------------------------------|-------------------------|-------------------------|-------------------------|-------------|
| PLANNING     | \$ 14,543.80                          | \$ 36.44                     | 5-08-05                 | 4.05 %                  | 8-15-09                 | NSB         |
| GEN. SEWER   | \$ 357,122.25                         | \$ 894.57                    | 5-08-05                 | 4.05 %                  | 8-15-09                 | NSB         |
| GEN. SEWER   | \$ 11,054.67                          | \$ 32.58                     | 2-28-08                 | 3.60 %                  | 11-29-08                | NSB         |
| DEBT SERVICE | \$ 12,863.84                          | \$ 32.23                     | 5-08-05                 | 4.05 %                  | 8-15-09                 | NSB         |
| DEBT SERVICE | \$ 98,189.23                          | \$ 314.97                    | 6-02-05                 | 3.92 %                  | 6-02-10                 | NSB         |

Councilman Jacobs moved and Councilman Hawk seconded to approve the Treasurer's report and the CD Report. All voted yes. Motion passed

**EMERGENCY MANAGEMENT REPORT**

No report.

**MAYOR'S REPORT**

Mayor Walck stated how he received a letter form PEMA to apply for non-emergency grants for 2009. He stated how the applications have to be in by November 21, 2008. He stated how they could go online to see what grants that they might be able to apply for.

Mayor Walck asked Council to send Zack Lebo a thank you letter for his 5K walk/run to benefit the Fire Companies.

Mayor Walck stated how the Anthracite Triathlon came through Nesquehoning on July 20<sup>th</sup> with no incidents. He stated that he would like to thank everybody from the Ambulance Corp and the Fire Police.

Mayor Walck stated that he had received a newspaper article from Mr. Angst concerning the Crime Watch groups in Schuylkill County. He stated how there were some interesting things in the article that they might be able to do in Nesquehoning. Mayor Walck stated that the next Crime Watch meeting was on August 5, 2008 at 7:00 p.m. at the Borough office.

Mayor Walck stated that John McArdle sent him a letter saying how the volunteers of the Nesquehoning Hose Company #1 will have reached a milestone on October 12, 2008. He stated that they will be celebrating their 100<sup>th</sup> year of commitment to the community. He stated how Mr. McArdle was looking for a Resolution and a Proclamation in regards to that anniversary.

Councilwoman Walck moved and Councilman DiMiceli seconded to approve a resolution for the Nesquehoning Hose Company #1's 100<sup>th</sup> year commitment to the community. All voted yes. Motion passed.

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

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**TAX COLLECTOR'S REPORT**

01 June – 30 June 2008

|             |               |
|-------------|---------------|
| Real Estate | \$10,068.33   |
| Occupation  | 495.00        |
| Per Capita  | <u>420.00</u> |
| Total       | \$10,983.33   |

**EXONERATIONS:**

**TO APPROVE:** James Kash      Non-Resident  
   Jason Sheckler      Non-Resident

Councilman Hawk moved and Councilman Jacobs seconded to accept all the reports to that point (Planning through Tax Collector's Reports) and the exonerations. All voted yes. Motion passed.

**APPLICATION:**

- Kimberly Anne Guerra – Resume, administrative, clerical

**COMMUNICATIONS:**

1. 06.25.08 Carbon Builders Assoc – Newsletter
2. 06.25.08 Environmentally Sensitive Maintenance – Dirt & gravel roads
3. **06.27.08 Gary Poremba – letter of application – Nesquehoning Water Authority**
4. 06.30.08 PSAB – Budgeting: Tools & Techniques
5. 06.30.08 PSAB – Essential Tools for Effective Municipal Operations
6. 07.02.08 NEPA – Regionalism Award
7. 07.02.08 PSAB – 2008 Labor & Employment Law Seminar
8. 07.02.08 PSAB- The Employment Alliance of Municipalities
9. 07.03.08 Klingaman's – cancellation of contract
10. 07.03.08 HAB – Refund request
11. 07.08.08 CC EMA – Emergency services training
12. 07.09.08 DCED – How to select and work with a consultant
13. 07.11.08 PennDOT – Workshop – Road Safety Audit (RSA) Forum
14. **07.14.08 CC Commissioners – Installation of swale at Mill Street**

Secretary/Treasurer Ahner read the last sentence of the letter. "Unfortunately, the County and C & S believe it is not in the best interests to install the swale at this time".

Councilman Jacobs stated how they were the ones who said that once the culvert and the drain was in, they would have a swale put in along the railroad for the water. President DeMarco stated how they also said that they would take care of the railroad tracks up by the Co-Generation plant.

President DeMarco stated about looking into an Amusement Tax for the train rides that come through Nesquehoning. He stated how they could use the tax to repair the railroad. President DeMarco stated how Solicitor Yurchak should check into what they could charge and how they go about doing it.

15. 07.18.08 NEPA – Municipal Technology Assistance Program (MTAP) – Bonus round
16. 07.18.08 Carl E. Faust – UCC inspections at 348, 350 & 352 W. Coal Street

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- 17. 07.18.08 Carl E. Faust – Permit & Inspection requirements on existing buildings
- 18. 07.18.08 Gene A. Rutch – Letter of interest – Water Authority**
- 19. 07.21.08 Snider & Associates – Recreation & sports products
- 20. 07.21.08 CMX -The PA Municipal News Alert
- 21. 07.21.08 DCED – Developing & Managing Your Municipal Budget
- 22. 07.21.08 COSTARS – High performance cold asphalt product
- 23. 07.21.08 Austin, Boland, Connor & Giorgi – Sheriff’s Sale – Koehler
- 24. 07.21.08 U.S. District Court – Class Action Settlement
- 25. 07.22.08 Kirk, Summa & Co – 2007 Audit
- 26. 07.22.08 newPA news – Newsletter

**#3 & #20 - Letters of interest for the Nesquehoning Water Authority**

Councilman Sniscak, Jr. nominated Mr. Gene Rutch.

Councilwoman Walck nominated Mr. Gary Poremba.

President DeMarco took a roll call vote.

Councilman Hawk abstained from voting because of being a Water Authority board member.

- Councilwoman Walck - Gary Poremba
- Councilman Stromelo - Gary Poremba
- President DeMarco - Gene Rutch
- Councilman Jacobs - not voting
- Councilman DiMiceli - Gary Poremba
- Councilman Sniscak, Jr. - Gene Rutch

President DeMarco announced that Gary Poremba would be appointed to the Water Authority Board to fill the vacancy left by the untimely death of Stephen Yurchak.

Mr. Angst questioned why Councilman Hawk was not allowed to vote. Councilman Hawk stated how they have never voted on matters when they sit on both the Borough Council and the Water Board. Councilman Jacobs asked if it had to be a majority of Council or just a majority of the vote. Solicitor Yurchak stated how it was just a majority of the vote.

# 18 Councilman DiMiceli stated that he was not present at the meeting on July 14<sup>th</sup> with Carl Faust.

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

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

Councilman Jacobs moved and Councilman Sniscak, Jr. 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.

# MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, July 23, 2008 at 7:00p.m., Borough Office

## COMMITTEE REPORTS

### 1. STREETS

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

➤ **To advertise for 2008 Road Construction Materials**

Councilman Stromelo moved and Councilman Sniscak, Jr. seconded to advertise for Road Construction Materials. All voted yes. Motion passed.

Councilman Stromelo stated that the sweeper was out and they would continue until they were done with the entire town.

Councilman Stromelo stated about Garibaldi Avenue. President DeMarco stated how he had talked to Ron Tirpak and that he was going to get in touch with Secretary/Treasurer Ahner. He stated how they were going with a concrete pipe, elliptical design. Secretary/Treasurer Ahner stated that the pipe had been ordered and it should not run much more than \$4,500.00.

President DeMarco stated how he had talked to Mike Radocha and he was supposed to give him a material list for Marconi Avenue. He stated that he had not received it yet.

Councilman Stromelo stated how he received a phone call concerning Cedar Street. President DeMarco asked if that was the one on the bottom that was all torn up. Councilwoman Walck stated how it was bad. Councilman Stromelo stated about looking into the street evaluation. President DeMarco stated how that was reconstruction but he did not know about sewer or water. He stated how he had talked to Ron Tirpak on it. He stated that Mr. Tirpak said how the best thing was for the Street Committee, Sewer and the Water Authority to discuss which projects they could do.

President DeMarco stated how he would like to address it this year because they will not even be able to plow it this winter. Councilman DiMiceli stated that if it was not one of the better hydrants, they might want to get Lansford/Coaldale Water Authority to replace that line. Councilman Jacobs stated that he thought how Cedar Street had a new sewer line. President DeMarco stated that he thought how that was right because there was a cut going down the center of the street.

Councilman Stromelo moved and Councilman Jacobs seconded to get Ron Tirpak to draw up the specs to reconstruct Cedar Street.

Councilman Hawk stated how a letter should go out to Lansford/Coaldale Water Authority informing them of the Borough's intentions to reconstruct and if they have anything with the water that would need to be addressed.

All voted yes. Motion passed.

Councilman Sniscak, Jr. stated how he has received several calls on the sinkhole down by the Nesquehoning School Apartments. He stated how they have to find out what was causing it and get it closed up. President DeMarco stated about having the Borough crew cut it open the next day.

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

Wednesday, July 23, 2008 at 7:00p.m., Borough Office

Councilman Stromelo stated how one of the new convex mirrors had already been smashed. Ted Dacey stated how the kids were caught.

Councilman Stromelo stated that there were cones missing after the St. Theresa's celebration and the Memorial Day Parade. He stated how the next time they do something, he would suggest getting the Borough crew to put them out and take them in the same day instead of leaving them out over night. He stated how at every evening he has been missing 6-7 cones.

Mayor Walck stated that they should consider getting the lines painted while the weather was nice. Councilman DiMiceli stated about them doing that once they were done with sweeping the streets. Mayor Walck stated that they should have the lines painted before school starts. Councilman Stromelo stated how they usually do down by the School closer to the end of August.

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

#### **➤ To advertise for 2008 Liquid Sludge Contract**

Councilman Hawk moved and Councilman Jacobs seconded to advertise the bid for liquid sludge removal. All voted yes. Motion passed.

Secretary/Treasurer stated how both the bids were listed on the website, [www.nesquehoning.org](http://www.nesquehoning.org).

Councilman Hawk stated how they had a meeting with David Digilio last week. He stated how they went over a couple of things. Councilman Hawk stated how there was a problem with the chlorinator at the treatment plant. He stated that Davey was working with DEP on it. Councilman Hawk stated how Davey had a quote of \$1,500.00 to make the necessary repairs. He stated how the repairs should have been completed already. Councilman Hawk stated how they discussed getting work done on the MCC panels at the plant. He stated how they were also looking into some repairs at the Lake's mini-lift station. Councilman Hawk stated that the engineer was supposed to get information regarding comminutor bids. He stated that it would be to replace the second one because of a lot of problems.

Councilman Hawk stated that over the weekend there was an incident at the Lake. He stated how an individual, who was part of the Lake security, drove over the bank at the 1<sup>st</sup> beach and knocked a vent pipe off at the lift station. He stated that Davey was going to try and repair it without purchasing new parts. Councilman DiMiceli stated how the security company was going to reimburse the Borough for the cost of the repairs. Councilman Jacobs stated how it will also be for Davey's call out time. Councilman Hawk stated that there was a need for a guide rail and about sending a letter to the Lake requesting they install them.

Councilman Hawk moved and Councilman Jacobs seconded to advertise the bid, once the specs were received for the comminutor. All voted yes. Motion passed.

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

Councilman Jacobs stated that the fire extinguishers have been inspected and updated by Larry Diehl. He stated how he was looking for prices on three big fans for up in the Borough garage to help with the heat.

## MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, July 23, 2008 at 7:00p.m., Borough Office

Councilwoman Walck asked about the architect. Councilman Jacobs stated he was down to get measurements and pictures. He stated that Gary Hitzemann said how they should have something in 2-3 weeks.

### **4. POLICE** **PUBLIC SAFETY**

**MICHAEL SNISCAK, JR, CHAIRMAN; FRANK DiMICELI, CO-CHAIRMAN; DAVID HAWK**

Councilman Sniscak, Jr. moved and Councilman DiMiceli seconded to hire Officer Nick Saullo as a full-time police officer under the current contract.

Councilman DiMiceli stated how there will be a probationary period according to the contract, but contractually, he will receive all of the benefits right away. President DeMarco stated that it would be effective Sunday, July 27, 2008.

All voted yes. Motion passed

Councilman Sniscak, Jr. moved and Councilman DiMiceli seconded to advertise for part-time police officers.

Councilman Jacobs stated how he had heard that a class just graduated. Councilman DiMiceli stated that the Chief should start checking around at other departments or up at the academy for anybody that would be interested.

All voted yes. Motion passed.

#### ➤ 07.22.08 Kovatch Police Vehicles – 2008 Ford Police Interceptor

Councilman DiMiceli stated about the information they received concerning a new police car from Kovatch, who was new under the COSTARS Contract. He stated how he had checked the website and most of the other dealers were around the same price. He stated that Kovatch was also going to include the transfer and installation of the existing radio and no charge for decals and lettering.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to purchase the unmarked police package Ford Interceptor at \$27,514.78. All voted yes. Motion passed.

Councilman Jacobs moved and Councilwoman Walck seconded to purchase a Motorola radio programmed and installed at \$970.00 for the new car. All voted yes. Motion passed.

Councilman DiMiceli stated how the car was on the lot (in stock) but they were looking at six weeks for delivery. Mayor Walck stated about keeping car #90 for transporting animals or for Borough use.

Councilman DiMiceli stated how he was told by a School Director that the School Board was reducing them by one Crossing Guard. Councilman DiMiceli stated how he thought they should write a letter to the School Board asking them to keep funding what they have been because they have a need. He stated how they met with the transportation supervisor and the Business Manager. Councilman DiMiceli stated that they moved some bus stops so it would be safer for the kids. He stated about maintaining the Crossing Guard on Locust Street. Councilman DiMiceli stated about the letter opposing any reduction because they have the biggest need and the most traffic.

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

Wednesday, July 23, 2008 at 7:00p.m., Borough Office

Councilman DiMiceli stated that school will have started before the next meeting. He wanted to know where they stood with the crossing guards. President DeMarco stated that they would leave them where they were. Mayor Walck asked if they received anything on where the stops would be. Councilman DiMiceli stated about the letter they received shortly after their meeting. Mr. Angst stated that there was pressure on the School Board to reduce the numbers because Coaldale and Summit Hill do not use crossing guards. He stated that with the closing of the middle school, it resulted in the elimination of one crossing guard in Lansford. Mr. Angst stated how he was led to believe that they were getting the buses off of Catawissa Street. He stated about those crossing guards. Mr. Angst stated how the School District only pays one-half of the guards they request. He stated how it was not by number but by location. Mayor Walck stated how they have six crossing guards on Mermon Avenue and that it was hectic. He stated how they now wanted to take them down to five. Councilman DiMiceli stated how they only moved one bus stop on Catawissa Street and the Business Manager and the transportation supervisor had agreed to move that crossing guard to Locust Street.

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

No Report

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

Councilman Stromelo stated how the electric was hooked up at the Little League field. He stated that he had seen how Leighton had started following the law about no smoking in public places. He stated about the Recreation Center. Councilman Stromelo stated how there were grants available to update the parks. Mayor Walck asked about the lights at the New Columbus Park. Councilman Stromelo stated how they were working on the other one first and now they would get to them.

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

No report.

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

Councilwoman Walck moved and Councilman Sniscak, Jr. seconded to ratify the decision to purchase the new copy machine for the Police Department. All voted yes. Motion passed.

Councilwoman Walck moved and Councilman DiMiceli seconded to reimburse the New Columbus Fire Company for the cost of the generator. All voted yes. Motion passed.

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

- 07.15.08 Lake Hauto Club – Flush four dry hydrants

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

Wednesday, July 23, 2008 at 7:00p.m., Borough Office

➤ 07.01.08 Velitsky & Matika – Black/Royer CO Emissions

Councilman DiMiceli stated how they received this letter in regards to the Black's property. He stated how it was not a Carbon Monoxide odor but a sulfur odor. He stated how all of the settings were where the plumber had them and the hopper was full.

➤ 07.09.08 John P. McArdle – Purchase of 2008 budget items

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to allow John McArdle to purchase the items that were listed on his budget. All voted yes. Motion passed

Councilman DiMiceli stated how the ladder truck went with the first price quote.

### **JR. RECREATION COMMISSION**

No report

### **NEW BUSINESS**

No New Business

### **OLD BUSINESS**

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to amend the motion to hire Barry Isett and Associates as an alternate BCO not as an inspector. All voted yes. Motion passed.

### **ADJOURNMENT**

Councilman DiMiceli moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:06 p.m.

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RoniSue Ahner  
Secretary-Treasurer