

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 25, 2009 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

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

President DeMarco called the meeting to order at 7:01 p.m.

Councilman DiMiceli was absent.

MINUTES: Approve the minutes from the Regular Meeting held on January 28, 2009 and the minutes from the Special Meeting held on February 10, 2009.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to approve the minutes from the regular meeting held on January 28, 2009 and the Special Meeting held on February 10, 2009. All voted yes. Motion passed.

HEARING OF VISITORS

No hearing of visitors.

POLICE REPORT

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

\$899.09 fine money received from Magistrate Kosciolk; \$83.70 received in Carbon County Collections; \$0.00 received in DUI reimbursements, \$860.00 received in parking tickets; \$105.00 received in moving permits; \$30.00 received in accident reports; 441 total officer contacts/follow-ups; 25 citations [3 non-traffic (2-retail thefts and 1 underage) & 22 traffic]; criminal arrests (2-DUI's; 1-prohibited off. weapon; 1-302 committal self-mutilation; 1-poss. of heroin; 1-simple assault; 1-retail theft {misdemeanor}; & 2-theft by unlawful taking); 31 incidents reported for the month; 14 traffic accidents (3 reportable [1 DUI related] & 11 non-reportable); 9 court appearances and the mileage total was 6,001 (1,036 – 2008 Crown Vic; 1,564 – 2008 Chevy Impala; 1,716 - 2003 Crown Vic; 1,685 - 2005 Expedition).

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

(Copy of Officer Blisard's report was placed in the communications folder.)

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to accept the Police and the Housing & Code Enforcement Officer's Reports. All voted yes. Motion passed.

PLANNING COMMISSION REPORT

No report.

CIVIL SERVICE COMMISSION

No report.

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PANTHER CREEK ADVISORY REPORT

No report.

ENGINEER'S REPORT

- 02.06.09 Carbon Engineering – outline of paved portion of Ametek Road maintained by the Borough

President DeMarco stated that he had contacted the Engineer concerning the road in question. He stated that it was the road that came from Route 54 that goes into Ametek. He stated how that road was a mess. President DeMarco stated that he asked for an outlined map so in the spring they would know what they were going to take care of. He stated that all the Council Members received a copy of the map and what the Borough owns. He stated how it does go all the way back to a paper road.

- 02.18.09 Carbon Engineering – Sewage Comminutor No. 2

SOLICITOR'S REPORT

- 01.30.09 Robert T. Yurchak letter concerning absorbent

No report.

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NESQUEHONING SAVINGS BANK TREASURER'S REPORT

GENERAL FUND

| | |
|------------------|------------|
| Balance 12.31.08 | 64,961.90 |
| Receipts | 128,753.64 |
| Expenditures | 100,738.60 |
| Balance 01.31.09 | 92,976.94 |

GENERAL SEWER CONSTRUCTION FUND

| | |
|------------------|----------|
| Balance 12.31.08 | 8,750.82 |
| Receipts | 7.44 |
| Expenditures | .00 |
| Balance 01.31.09 | 8,758.26 |

SPORTS COMPLEX FUND

| | |
|------------------|----------|
| Balance 12.31.08 | 82.19 |
| Receipts | 2,176.75 |
| Expenditures | .00 |
| Balance 01.31.09 | 2,258.94 |

SANITATION ESCROW

| | |
|------------------|-----------|
| Balance 09.30.08 | 9,952.00 |
| Receipts | 8,733.53 |
| Expenditures | .00 |
| Balance 12.31.08 | 18,685.53 |

DEBT SERVICE

| | |
|------------------|----------|
| Balance 12.31.08 | 1,128.45 |
| Receipts | .96 |
| Expenditures | .00 |
| Balance 01.31.09 | 1,129.41 |

FIRE TRUCK FUND

| | |
|------------------|-----------|
| Balance 12.31.08 | 58,739.98 |
| Receipts | 1,103.39 |
| Expenditures | 103.95 |
| Balance 01.31.09 | 59,739.42 |

CAPITAL PROJECT

| | |
|------------------|-----------|
| Balance 12.31.08 | 62,156.52 |
| Receipts | 6,284.46 |
| Expenditures | .00 |
| Balance 01.31.09 | 68,440.98 |

SANITATION FUND

| | |
|------------------|------------|
| Balance 12.31.08 | 119,754.04 |
| Receipts | 195,076.06 |
| Sewer | 58,835.66 |
| Expenditures | 87,149.38 |
| Balance 01.31.09 | 168,845.06 |

HIGHWAY FUND

| | |
|------------------|-----------|
| Balance 12.31.08 | 38,920.98 |
| Receipts | 33.07 |
| Expenditures | .00 |
| Balance 01.31.09 | 38,954.05 |

PLANNING FUND

| | |
|------------------|----------|
| Balance 09.30.08 | 8,439.66 |
| Receipts | 21.24 |
| Expenditures | .00 |
| Balance 12.31.08 | 8,460.90 |

GENERAL SEWER FUND

| | |
|------------------|------------|
| Balance 12.30.08 | 67,281.03 |
| Receipts | 86,739.72 |
| Expenditures | 28,367.18 |
| Balance 01.31.09 | 125,653.57 |

SEWER OPERATING & MAINTENANCE

| | |
|------------------|-----------|
| Balance 12.31.08 | 4,582.47 |
| Receipts | 70,556.84 |
| Expenditures | 20,013.52 |
| Balance 01.31.09 | 55,125.79 |

POLICE PENSION FUND

| | |
|-------------------|------------|
| Balance 12.31.08 | 439,784.43 |
| Receipts | 1,301.56 |
| Expenditures | 9,175.05 |
| Acct Depreciation | 18,396.36 |
| Balance 01.31.09 | 413,514.58 |

FEMA FUND

| | |
|------------------|----------|
| Balance 12.31.08 | 3,033.34 |
| Receipts | 3,007.10 |
| Expenditures | 6,040.44 |
| Balance 01.31.09 | .00 |

ACQUISITION & RENOVATION

| | |
|------------------|------------|
| Balance 12.31.08 | 196,296.43 |
| Receipts | 166.79 |
| Expenditures | .00 |
| Balance 01.31.09 | 196,463.22 |

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CD REPORT

| FUND | CURRENT VALUE 01.30.09 | INTEREST 01.30.09 | OPENING DATE | CURRENT RATE | RENEWAL DATE | BANK |
|--------------|---------------------------------------|------------------------------|-------------------------|-------------------------|-------------------------|-------------|
| PLANNING | \$ 14,806.45 | \$ 38.43 | 05-08-05 | 4.05 % | 08-15-09 | NSB |
| GEN. SEWER | \$ 363,571.53 | \$ 943.54 | 05-08-05 | 4.05 % | 08-15-09 | NSB |
| GEN. SEWER | \$ 11,291.25 | \$ 36.13 | 12-03-08 | 3.44 % | 06-03-10 | NSB |
| DEBT SERVICE | \$ 13,096.16 | \$ 33.99 | 05-08-05 | 4.05 % | 08-15-09 | NSB |
| DEBT SERVICE | \$ 100,154.08 | \$ 331.99 | 06-02-05 | 3.92 % | 06-02-10 | NSB |

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to approve the Treasurer’s Report and the CD Report. All voted yes. Motion passed

EMERGENCY MANAGEMENT REPORT

John McArdle stated that on 23rd of February, he attended the quarterly training for the elected officials, which outlined the duties and the responsibilities. Mr. McArdle stated that there was a CERT class coming up on March 30th, April 6th and April 13th. He stated that if anybody wanted to join the CERT program, that it was very informative and it was also a good way to help out in the community.

Mr. McArdle stated that he would like to have Carol Zickler post in the paper about a request from the Borough residents that anyone in the town, in the event of an emergency who would need some type of special notification or assistance in being relocated, they would provide the Borough Office, during normal business hours, with a telephone number, contact information, address, ailment and what type of assistance would be needed. He stated that it would be a confidential list. President DeMarco stated that they would also post something on the website as well. Mr. McArdle stated that there was a new program that was being developed that will keep all the information available, in the event they would have to relocate.

MAYOR’S REPORT

Mayor Walck stated that on Sunday, he attended the Eagle Scout Presentation of Teo Heckman. He stated how he presented the Resolution from the Borough.

Mayor Walck stated that they all received a list of the Fire Police, who were sworn in. He stated that they will be kept on record. He stated that the list was also given to the Police Department.

Mayor Walck asked Council to advertise for a part-time crossing guard. He stated how one of the full-time crossing guards resigned and there was another full-time guard out sick.

Councilman Stromelo moved and Councilwoman Walck seconded to advertise for part-time crossing guards. All voted yes. Motion passed.

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Mayor Walck stated how March was Red Cross Month and asked if they would fly the Red Cross Flag at the Recreation Center.

Mayor Walck stated that the next Crime Watch Meeting will be held on March 3, 2009 at the Borough Building.

TAX COLLECTOR'S REPORT

No Report.

EXEMPTION: Donald Silliman Deceased

Councilman Stromelo moved and Councilman Hawk seconded to approve all the reports to this point, and approve the one tax exemption. All voted yes. Motion passed.

APPLICATION: Christopher S. Albertini Summer Help

COMMUNICATIONS:

1. 01.27.09 Excelsior Blower Systems – Quote for Blower panel meter
2. 01.27.09 Liquid Fence Co. – Removal of waste water
3. 01.28.09 PSAB – Constitution amendment
4. 01.29.09 Geoff Penske – 2009 GMC trucks available (COSTARS)
5. **01.29.09 Thomas Ouly – Reappointment to Zoning Hearing Board**

Secretary/Treasurer Ahner stated that she wanted to let them know that Thomas Ouly did submit a letter to be re-appointed to the Zoning Hearing Board.

6. 01.30.09 PSAB – Update
7. 02.04.09 Stephen C. Antalics, Jr. – Congratulations
8. 02.04.09 Michael S. Greek – Zoning – 218 E. Center Street
9. 02.05.09 DCED – Illegal Dump Clean-Up
10. 02.06.09 OGINFO – Add to bid list for Geographic Info Systems and Information Technology (IT)
11. 02.09.09 Gary Hitzemann – Pre Bid Meeting
12. 02.09.09 PSATS – Open Records Training
13. 02.09.09 USDA – Loan/grant assistance to low income families
14. 02.10.09 CC Dept. of Solid Waste – Solid waste hauler license for 2009

15. **02.12.09 Keith R. McCall – Request to reduce speed limit**

Secretary/Treasurer Ahner stated that they had received a request concerning the speed limit down by The Lantern. She stated that they would like the speed limit lowered. Mayor Walck stated that he would suggest that they keep the 40 mph until after the Cemetery Road. President DeMarco stated that Solicitor Yurchak would write a letter to PennDOT requesting a study be done on that section.

16. 02.13.09 Jim Thorpe National Bank (JTNB) – Applicable changes to our accounts at NSB
17. 02.17.09 DCNR – Community Conservation Partnerships Program Grants Application Cycle
18. 02.17.09 PSAB – Workshop - Marketing Your Municipality
19. 02.17.09 PSAB – Workshop – 2009 Permit Required Confined Space Training

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- 20. 02.19.09 Keith R. McCall – Notification of two free workshops to lower energy costs
- 21. 02.23.09 newPA news - Newsletter
- 22. 02.24.09 NEPA – Traffic Signal Conversion Program – Needs Assessment

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

BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

Councilman Hawk 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.

COMMITTEE REPORTS

1. STREETS

MICHAEL SNISCAK, JR. CHAIRMAN; DON DeMARCO, CO-CHAIRMAN; RICHARD ZABROSKI

Councilman Sniscak, Jr. stated that they were out with the cold patch. He stated that they would not start anything until after the weather breaks. President DeMarco stated that since they have had some nice weather they might be able to get the street sweeper out. He stated about hitting some of the hills. Councilman Sniscak, Jr. stated that they will start on that the second week of March. President DeMarco stated about getting the sweeping done around the churches for Easter.

2. SEWER

DAVID HAWK, CHAIRMAN; RICHARD ZABROSKI, CO-CHAIRMAN; FRANK DiMICELI

Councilman Hawk stated that David Digilio was still working on some of the repairs down at the Sewer Plant.

3. BUILDINGS

RICHARD ZABROSKI, CHAIRMAN; ROSE WALCK, CO-CHAIRMAN; DON DeMARCO

Councilwoman Walck stated about the Police Station renovations. President DeMarco stated that the bids came in too high. Solicitor Yurchak stated that he was recommending that they reject all of the bids. He stated that he thought that the bid specs should be gone over and be re-done. He stated that he thought that they were too complicated and too detailed for what was necessary.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to reject all the bids for the Police Station Renovations. All voted yes. Motion passed.

President DeMarco stated how the bids were not what they wanted. He stated that they were too complicated. He stated that it was supposed to be plain and simple. He stated that he did not understand where it all came from. Councilwoman Walck stated that when they were at the meeting, they had talked about cutting back on certain things. She stated that the next meeting they had, which a long time was in between, everything had changed. She stated that it was a whole new thing all over again. She stated how that was her opinion. President DeMarco stated that he agreed with her 100%.

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Solicitor Yurchak stated that when he went through the bid specs, section 4, which was the section that contained most of the bid specs, they were missing all of the even number pages. He stated that he was told that the architect did know that and was going to give the missing pages out at the pre-bid meeting. He stated how that did not insure that everybody got them. Frank Jacobs stated that the architect did have the copies at the pre-bid meeting. He stated that there were several other contractors that contacted him to see the building after the pre-bid meeting that were not notified of the meeting. Mr. Jacobs stated that no matter what they told him, it would come back different than what they suggested. President DeMarco stated that they just wanted it plain and simple. He stated how they discussed the Geothermal, which was way out of line.

President DeMarco asked the Council Members if they wanted the Building Committee to meet on the issue or all of Council. Councilman Sniscak, Jr. stated that he thought that the Building Committee could take care of it. Councilwoman Walck stated how they were months behind already. She stated how the prices on materials have gone up since the start of this project. President DeMarco asked Solicitor Yurchak if they needed the architect in when they meet. Solicitor Yurchak stated that he would recommend that they would meet without him. He stated that if they were giving him directions before and he was doing what he wanted. Mr. Jacobs stated about holding the architect's last check. He stated about sending him a letter asking him to release everything to the Borough before he will receive his last payment. President DeMarco stated how that would be it. He stated that they do not really need him anymore. President DeMarco stated that Solicitor Yurchak will get him a letter and then the Building Committee along with Frank Jacobs, Secretary/Treasurer Ahner and Solicitor Yurchak will have a meeting. Mayor Walck stated that he would like to be at the meeting also.

4. POLICE PUBLIC SAFETY

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

No report.

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

Councilman Stromelo stated how they have had a complaint from a resident on Loggie Road because of the bear dragging garbage from someone's house. He stated that they were going to send letters again to the residents of those three streets concerning containing their garbage.

Councilman Stromelo stated about the article in the paper concerning the funding for recyclables. He stated that they did not know what was going to happen there. President DeMarco stated that there was something on the news that night as well.

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

Councilman Hawk stated about the fence at Earl Johnson's Park. He stated that it was on the east side of the park. Mr. Jacobs stated that the Borough Crew was up there. He stated that the fence rusted off of the stone. He stated how the kids were there on Saturday and they pushed it over. President DeMarco stated that they will have to wait for spring to see what can be done. Councilman Hawk stated that they will have to look to see if they might have to replace the whole fence. Councilman Stromelo stated that it has been like that for the last several years.

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Councilman Hawk stated how they had a request from a resident who was interested in purchasing some benches to be placed at the Soccer Field. He stated how he would have to contact someone from the Panther Valley Soccer Association to see if it was a good idea and if there was a place to put them. Councilman Zabroski stated that he would talk to Ron Reis concerning it. He stated that he would get back to Councilman Hawk.

Councilman Stromelo stated that they were looking to replace the ceiling fans in the Recreation Center. President DeMarco stated that they could get something from Lowe's. He stated that he should see what he could find out and get the Borough Crew up there to get them.

Councilman Stromelo stated that with the Little League coming up, he wanted to get the old cinder screener down away from the field. He stated that it will have to be cut.

7. BUDGET DAVID HAWK, CHAIRMAN; RICHARD ZABROSKI, CO-CHAIRMAN; DON DeMARCO

No report.

8. PURCHASING ROSE WALCK, CHAIRWOMAN; RICHARD ZABROSKI, CO- CHAIRMAN; FRANK Di MICELI

No report.

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

- 01.29.09 Blue Mt. Inspection Service – Request for fire alarm & sprinkler records
- 02.16.09 Nesquehoning Ambulance Corp Summary Report for January
- 02.16.09 Fire Department Summary Report for January
- 02.20.09 2009 Officer List from Hauto Volunteer Fire Company

No report.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to accept all committee reports. All voted yes. Motion passed.

JR. RECREATION COMMISSION

No report.

NEW BUSINESS

- Need approval to shred old records from July to December 2001

Secretary/Treasurer Ahner stated that they were the Sewer/Sanitation receipts and reports.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to approve the shredding of the old records from July to December 2001. All voted yes. Motion passed.

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Frank Jacobs stated about the properties that have one person moving in and getting a moving permit but there were several cars parked in front of the property. He stated that there were usually several people coming in and out of these properties. Mr. Jacobs stated how they should be concentrating on these people who were moving into the Borough and not getting moving permits. He stated about addressing letters to the property owners first. He stated that the Landlord might not know what was going on there either. Councilman Sniscak, Jr. stated that he probably did not because he was only renting to one person. He stated that if the Landlord would come back and say that there was only one person moving in there, they could then send the Chief.

Solicitor Yurchak stated that they did have a Landlord Ordinance. Secretary/Treasurer Ahner stated that they were not working with that Ordinance yet. She stated that they were having a small problem with the Ordinance. President DeMarco stated about the Landlord Ordinance and how Solicitor Yurchak was going to meet with Secretary/Treasurer Ahner.

OLD BUSINESS

Ted Dacey asked about the Railroad Crossing up at the CoGen. He stated that he had seen where the County was getting money to do work at the Railroad Crossing at the Packerton Yard. President DeMarco stated that they do not recognize the agreement. He stated that they were grateful how the CoGen put the Jersey Barriers up. He stated how it had confined the truck drivers to run over the tracks instead of going around. President DeMarco stated that when the road gets really bad the Borough will shut it down. He stated that then the trucks will have to run Park Avenue. He stated that they will not allow through traffic for the trucks on Park Avenue. Councilman Hawk stated that Park Avenue will not be able to handle that kind of traffic.

Councilman Stromelo asked where they were on the Code of Ordinances. Secretary/Treasurer Ahner stated that she had not heard anything. She stated that he had met with Gene Kennedy one night. She stated that she will email Mr. Rotz to find out where they were at.

Councilman Stromelo stated about Liquid Fence. He stated that he could not stomach the smell and it was almost every week right now. Councilman Stromelo stated that maybe they should send a letter to the Commissioners that Packerton Yard was not the only Industrial Park in the County.

ADJOURNMENT

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes. Meeting adjourned at 7:53 p.m.

RoniSue Ahner

RoniSue Ahner
Secretary-Treasurer