

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN DiMICELI, 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 Hawk was present via telephone.

HEARING OF VISITORS

Harry Miller – 265 Stock Street – stated that he wanted to know if he could get a light fixed on Mill Street, by the Lions Building. Secretary/Treasurer Ahner stated how that one had already been reported. Councilman Stromelo stated how he thought that it was fixed. Mr. Miller asked about the grass on 255 Stock Street. Officer Blisard stated how he had sent a letter to the homeowner. He stated how it was supposed to go up for sheriff's sale last Friday but it was continued. Mr. Miller stated about the CoGen trucks running at 5:30 a.m. He asked if they could get them in for 7:00 a.m. instead.

Tom Merman – 512 E. Center Street – stated how he would like to have a report on the street that the Council gave away. Councilwoman Walck stated how Solicitor Yurchak had given an answer on that last month. President DeMarco stated how it cost the taxpayers money to find an answer that they already knew. He stated that it was not sold and it was not going any further.

POLICE REPORT

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

\$1,234.85 fine money received from Magistrate Kosciolk; \$199.35 fine money received from Magistrate for Sanitation Fines/Bills; \$89.55 received in Carbon County Collections; \$42.17 received in DUI reimbursements; \$0.00 received from Attorney General for overtime reimbursement; \$15.00 received in parking tickets; \$195.00 received in moving permits; \$60.00 received in accident reports; 451 total officer contacts/follow-ups; 27 citations [11 non-traffic & 16 traffic]; 58 incidents reported for the month; arrests Mike Nahaj-DUI, 4-reported burglaries two were garages, 4-property thefts reported, 7-thefts from a motor vehicle, 4-vehicles damaged/vandalism, Steph Glennerster arrested retail theft, Jeremy Hirochek arrested aggravated assault on a police officer, institutional vandalism and multiple other charges, Jeremy Hirochek arrested for possession with the intent to manufacture or deliver a controlled substance and other drug charges, Michael Shook arrested for retail theft, Chris Maidhoff arrested for no dog license and rabies vaccination, 1-juvenile arrested for curfew violation, Jacob Canzoneri arrested for retail theft, 2-reports of drug dealing in the borough, chief did two large criminal intelligence reports and submitted to office of attorney general, Anja Barnard arrested for retail theft, William Dougherty arrested for retail theft, Ryan Filer arrested for escape from the county prison; Barricaded suspect-sert called to scene-did 302warrant for Carmen Diachesyn and than charged him with drug charges and terroristic threats-seized two guns and narcotics; Dan Goff arrested fugitive from justice-Connecticut wanted him; Arrested Wayen Whitsitt drug charges, contraband for smuggling narcotic into prison; arrested 1-illegal alien-Juan Pichazaca-was deported; stolen vehicle and foot pursuit of suspect-suspect got away; 1-stalking complaint, arrested Shamir Williams hit another vehicle under the influence of alcohol, arrested for DUI; 302 commitment suicidal male-Carl Gorlitz walk out from St. Lukes; 2-hit and run accidents; 0 search warrant; 2 consent searches; 5 traffic accidents (3 reportable{1-DUI related} - 2 non-reportable); 12 court appearances and the mileage total was 3,683 (1,475 – 2008 Crown Vic; 1,624 – 2008 Chevy Impala; 131 - 2003 Crown Vic; 0 - 2005 Expedition; 1,421 – 2009 Ford Crown Vic).

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL
Wednesday, September 23, 2009 at 7:00p.m., Borough Office
HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

Chief Smith's and Officer Blisard's reports were placed in the communications folder.

Chief Smith stated how all the code complaints that were mentioned at last month's meeting were taken care of. He stated how Mayor Walck, Councilman Sniscak, Jr., Officer Blisard and he followed up on them.

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

Chief Smith stated about the membership with the National Rifle Association (NRA). He stated how it was \$95 for 3 years and it was ready to expire.

Councilman DiMiceli moved and Councilwoman Walck seconded to renew the membership for Nesquehoning Police Department with the NRA at a cost of \$95 for three years. All voted yes. Motion passed.

Secretary/Treasurer Ahner asked Chief Smith if he wanted to mention the other request. Chief Smith stated how there was information given to all council members to review in regards to onboard computer systems for the cars. He stated how the initial quote was for the Chevy Impala but he had to resubmit everything for the 2009 Ford Crown Victoria. Chief Smith stated how the grant will cover 50% of the total cost. He stated how the total cost would be a little over \$5,000. President DeMarco stated how it would probably be a budgeted item and that they would review it.

Councilman DiMiceli asked Chief Smith if he had applications for part-time officers. Chief Smith stated "yes, three". Councilman DiMiceli asked Chief Smith if he would get the background checks done on them. Chief Smith stated how they were trying because they were really busy. Mayor Walck stated that Officer Wuttke might be able to start them on Friday.

PLANNING COMMISSION REPORT

No report.

CIVIL SERVICE COMMISSION

No report.

PANTHER CREEK ADVISORY REPORT

- 09.15.09 PA DEP letter to Panther Creek Partners – Annual Bond Review for 2009
- 09.22.09 Panther Creek Partners – Meeting Minutes

ENGINEER'S REPORT

- 09.02.09 Carbon Engineering – Emergency Water Main Replacement
- 09.11.09 Carbon Engineering – Wetland Determination
- 09.18.09 Ron Tirpak letter to Robert T. Yurchak – Posting Park Avenue

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

President DeMarco stated how Ron Tirpak did call him about the police station specifications. He stated how they will be ready to go out for bid next month. Secretary/Treasurer Ahner stated how Ron Tirpak will have the specifications ready to go in another week or two. She stated how they need a motion to advertise so she can get it in the paper as soon as she would get the legal ad. She stated how they were going to be due back by 2:00 p.m. on the 27th of October.

Councilman Zabroski moved and Councilman DiMiceli seconded to advertise for bids on the specifications for the Police Station to be returned at 2:00 p.m. on the 27th of October 2009. All voted yes. Motion passed.

President DeMarco stated how Ron Tirpak had also talked to him about the K-roads. He stated how Mr. Tirpak asked him if they really wanted to go there. President DeMarco stated how K-roads were under a federal program. He stated that if they were to get Mermon Avenue listed as a K-road they could get it paved but it would be considered a federal highway. He stated how it would all be done with federal money. President DeMarco stated about problems that would come along with making it a federal highway. He stated how they would have to go by the federal standards and specifications. He stated that if they would tell them they would need a railroad crossing, the Borough might have to front the money to install the crossing. President DeMarco stated about the bridge as well. He stated how Mr. Tirpak asked him if they were really sure they wanted to continue because of ending up with more problems. President DeMarco stated how he told Mr. Tirpak how the Borough wanted to get the road paved because of how bad it was. He stated about how they were told by the county that New Columbus was not a poor section of town. Councilman Zabroski stated how they also said something about how not many people access that road. President DeMarco stated how he was reporting back to the Council to find out what they want to do but he did not think that it was worth it. Councilman Sniscak, Jr. stated how they do not want the federal government involved.

Solicitor Yurchak stated about the letter he had received from Ron Tirpak in regards to the weight limit on Park Avenue. He stated how Mr. Tirpak said how they were going to need an Engineering study to approve weight limits. President DeMarco stated how they should get it done. Mayor Walck stated how there were more and more tractor-trailers coming through there. Councilman Sniscak, Jr. stated that he has seen it. Mayor Walck stated how he was not sure how they were going to get in when they start the solar panel projects. Solicitor Yurchak stated how they will have to authorize Ron to do an engineering study on Park Avenue. President DeMarco stated how they were going to have major problems with that street down the road.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to have Engineer Ron Tirpak do an engineering study on Park Avenue to regulate a weight limit. All voted yes. Motion passed.

SOLICITOR'S REPORT

- 09.14.09 James R. Nanovic letter to Robert Yurchak – UCC Appeals Board
- 09.14.09 Robert T.Yurchak letter to Rep. Paul Kanjorski – Intentional Oil Spill
- 09.14.09 Robert T.Yurchak letter to Rep. Keith McCall – Intentional Oil Spill
- 09.14.09 Robert T.Yurchak letter to Senator Raphael Musto – Intentional Oil Spill
- 09.14.09 Robert T.Yurchak letter to Senator Arlen Specter – Intentional Oil Spill
- **Adopt the Tax Collector Certificate Ordinance**

Councilman DiMiceli moved and Councilman Zabroski seconded to adopt the Tax Collector Certificate Ordinance. All voted yes. Motion passed.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Solicitor Yurchak stated about the draft ordinance to install the stop sign at Little Flower Avenue and Diaz Avenue.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to advertise the ordinance to install the stop signs.

Ted Dacey asked about a stop sign at Pastori Avenue and Little Flower Avenue. Solicitor Yurchak stated how there should already be one there. Mr. Dacey stated how there was not one there. Councilman Sniscak, Jr. stated how they will get one up the next day.

All voted yes. Motion passed.

Councilman DiMiceli stated that on the Landlord/Tenant Ordinance, they need it changed to three calls in a one year period. Solicitor Yurchak stated how they did not have anything in there right now. Councilman DiMiceli stated about an eviction, if they were called three times in one year. He stated how he should make it clear that they could get called back twice in one day and that would be two violations. President DeMarco stated how the other thing was the occupancy permit fees. He stated how they already charge them a moving permit fee of \$15. He stated how they were now going to charge \$10 for every person who was moving in there as well. He stated how he thought that it was unfair and how it was a double standard. President DeMarco stated how they would eliminate that fee.

Councilman DiMiceli stated about Section 8 under sub-section "a" they should add "or any other Borough designee". Councilman DiMiceli asked that if the intent on the first page was for the inspector be somebody who was licensed, electrician. Solicitor Yurchak stated that it says about the inspectors who were identified in Section 8 "Enforcement". Councilman DiMiceli stated about adding a letter "s" under sub-section "h" on page 2, any of the fire chiefs or their designees.

Councilman Hawk asked that in reference to the occupancy, they were still going to require them to register but they were not going to charge the required fee. Solicitor Yurchak stated that they were not going to require an occupancy permit fee. Secretary/Treasurer Ahner stated how they will still be listed on the application and they will still have to do the addendum to the application. Councilman Hawk stated how he did agree with still requiring the occupants to be registered in the light of a potential problem where they may have a dwelling until that was permitted for a certain number of occupants. He stated that if something were to arise and they have to do an inspection, they could find out that there were more people who have been residing there or occupying the unit than what it was licensed for. He stated how he believed they still need the occupancy information but did agree not to charge a fee for the information and then also be charging a fee for moving permits. President DeMarco stated how they would fill out the form as to who was there and how many were there.

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

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

JIM THORPE NATIONAL BANK TREASURER'S REPORT

GENERAL FUND

Balance 07.31.09 356,386.40
Receipts 145,006.70
Expenditures 103,753.60
Balance 08.31.09 397,639.50

GENERAL SEWER CONSTRUCTION FUND

Balance 07.31.09 10,177.09
Receipts 6.48
Expenditures .00
Balance 08.31.09 10,183.57

SPORTS COMPLEX FUND

Balance 07.31.09 5,842.81
Receipts 1,440.48
Expenditures .00
Balance 08.31.09 7,283.29

SANITATION ESCROW

Balance 06.01.09 33,254.35
Receipts 8,709.01
Expenditures 34,636.89
Balance 09.01.09 7,326.47

DEBT SERVICE

Balance 07.31.09 1,147.97
Receipts .73
Expenditures .00
Balance 08.31.09 1,148.70

FIRE TRUCK FUND

Balance 07.31.09 94,638.59
Receipts 10,268.83
Expenditures .00
Balance 08.31.09 104,907.42

CAPITAL PROJECT

Balance 07.31.09 70,497.80
Receipts 8,332.13
Expenditures .00
Balance 08.31.09 78,829.93

SANITATION FUND

Balance 07.31.09 174,286.51
Receipts 75,630.32
Sewer 55,908.91
Expenditures 34,476.16
Balance 08.31.09 159,531.76

HIGHWAY FUND

Balance 07.31.09 94,501.53
Receipts 60.20
Expenditures .00
Balance 08.31.09 94,561.73

PLANNING FUND

Balance 06.01.09 10,741.85
Receipts 9.48
Expenditures .00
Balance 09.01.09 10,751.33

GENERAL SEWER FUND

Balance 07.31.09 68,899.84
Receipts 56,282.34
Expenditures 67,638.60
Balance 08.31.09 57,543.58

SEWER OPERATING & MAINTENANCE

Balance 07.31.09 29,685.80
Receipts 18,786.59
Expenditures 8,952.85
Balance 08.31.09 39,519.54

POLICE PENSION FUND

Balance 07.31.09 429,625.73
Receipts 12,403.33
Expenditures 8,075.59
Acct Appreciation 4,884.18
Balance 08.31.09 438,837.65

ACQUISITION & RENOVATION

Balance 07.31.09 226,539.24
Receipts 144.27
Expenditures 301.49
Balance 08.31.09 226,382.02

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

CD REPORT

FUND	CURRENT VALUE 08.31.09	INTEREST 08.31.09	OPENING DATE	CURRENT RATE	RENEWAL DATE	BANK
PLANNING	\$ 15,053.11	\$ 20.47	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 369,594.76	\$ 464.47	08-20-09	2.50 %	08-20-12	JTNB
GEN. SEWER	\$ 11,514.75	\$ 33.59	12-03-08	3.44 %	06-03-10	JTNB
DEBT SERVICE	\$ 13,314.33	\$ 18.11	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 102,768.99	\$ 341.56	06-02-05	3.92 %	06-02-10	JTNB
DEBT SERVICE	\$ 18,028.31	\$ 32.71	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 19,957.19	\$ 36.21	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 9,781.89	\$ 17.75	06-22-09	2.14%	06-22-11	JTNB
GEN. SEWER	\$ 76,194.78	\$ 138.24	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,557.09	\$ 17.34	06-22-09	2.14%	06-22-11	JTNB

Councilman DiMiceli 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 October 5th he was asked to attend a meeting which had to do with the swine flu. He stated that it was going to deal with if an epidemic would occur and setting up points where they would have to inoculate people. Mr. McArdle stated how they had a test that was done at the Fire Station in Lehighton, where people were able to drive through and be inoculated in their cars. He stated how there will be different points throughout the County where people will be directed to go should an outbreak occur.

MAYOR’S REPORT

Mayor Walck stated that he would like to expand on what Mr. McArdle mentioned. He stated how he would also be attending the meeting. He stated how there were going to be two places, Lehighton and Palmerton, in October where they were going to do the shots for the children.

- Hire Tara Cusanelli as a crossing guard

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to hire Tara Cusanelli as a part-time as-needed crossing guard. All voted yes except Councilman DiMiceli who abstained because he was related. Motion passed.

- Halloween night will be on Thursday, 29 Oct 2009 from 6:00 to 8:00 p.m.

Mayor Walck stated how Halloween, Trick or Treat, would be held on Thursday, October 29th from 6:00p.m to 8:00p.m.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Mayor Walck stated that the Panther Valley Pumpkin Parade was to be held on Saturday, October 24th. He stated that they would start lining up and judging at 1:30p.m. at the football stadium. He stated that the parade will start at 3:30p.m. Mayor Walck stated that any children from Nesquehoning or the surroundings towns were invited to participate in the parade.

Mayor Walck stated that the next Crime Watch Meeting would be held on Tuesday, October 6th at 7:00p.m. at the Borough Office.

TAX COLLECTOR'S REPORT

1 August 2009 to 31 August 2009

Real Estate	\$	6,229.23
Occupation		165.00
Per Capita		<u>165.00</u>
TOTAL	\$	6,559.23

EXEMPTION:

#041504251626 Francis X Maurer – Duplicate account number
#071504150276 Craig Kennedy – (2007) Deceased
#081504150276 Craig Kennedy – (2008) Deceased
#061504251635 Barbara Wertman – (2006) Listed twice
#071504251635 Barbara Wertman – (2007) Listed twice

Councilman DiMiceli moved and Councilman Zabroski seconded to accept the Emergency Management Report, the Mayor's Report and the Tax Collector's Report including the exemptions. All voted yes. Motion passed.

COMMUNICATIONS:

1. 08.21.09 Alison Wenger – PennDOT's E-News for Officers
2. 08.26.09 PSAB – 100th Anniversary, 2011 Annual Conference
3. 08.27.09 PA DEP – Closure, Soil Contamination, Kahn Property
4. 08.27.09 CC Emergency Mgmt. Planner/Trainer – Introduction to County residents
5. 08.27.09 Judy Borger – CERT Training
6. 08.28.09 Michaela Susko – Progress report on painting the footbridge
7. 08.28.09 PA One Call – Board Meeting Notice
8. 08.28.09 Ronald Young – State Transportation Commission Hearing
9. 08.31.09 DCED – Managing Winter Road & Street Operations
10. 08.31.09 Spring City Electrical – Energy efficiency – LED Technology
11. 09.01.09 Michael S. Greek – Zoning Hearing Board – Lans-Cdle Water Authority
12. 09.01.09 Michael S. Greek – Zoning Hearing Board – Green Energy Capital Partners
13. 09.02.09 PSAB – Update
14. 09.02.09 WSA Insurance – Customized insurance and financial solutions
15. 09.02.09 LTAP – Traffic Signs
16. 09.02.09 NEPA – Program on Municipal Bond Issues
17. 09.03.09 ARRO – Map production (GIS) Geographic Information System

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

18. 09.04.09 CC Commissioners – Consolidated Collection of Local Income Taxes

Solicitor Yurchak stated how they had to designate someone to attend the Act 32 meeting. He stated how the State had decided that there should be one Earned Income Tax Collector for the entire County. President DeMarco stated that it would be instead of each individual town. Solicitor Yurchak stated how the County will be holding a meeting in November and they were supposed to appoint someone by September 15th. He stated how DCED will determine what the weight of each vote will be. He stated how it was based on how much revenue was taken in from the actual tax.

Councilman DiMiceli moved and Councilwoman Walck seconded to appoint the Secretary/Treasurer as the primary voting delegate for the Borough of Nesquehoning. All voted yes. Motion passed.

19. 09.08.09 DCED – New FEMA Elevation Certificate
20. 09.08.09 Hazleton Oil & Environmental – Newsletter
21. 09.09.09 Powells Sales & Rentals – Maintenance & Contractor Equipment Show
22. 09.11.09 Central Westmoreland COG – Lease Finance Program
23. 09.11.09 PSATS – CDL Records Management
24. 09.11.09 PSATS – CDL Drug & Alcohol Testing Supervisory Training
25. 09.11.09 CMX – Elusive Grants
26. 09.11.09 Lafayette College - “Meet the Arbitrators” educational event
27. 09.11.09 PA DEP – Closure/Remediation File, Kahn Property
28. 09.11.09 PSAB – House Bill 1828 (PN 2638) Deferred Retirement Option Plans
29. 09.14.09 Keith R. McCall – Grant opportunity through the Home Depot
30. 09.17.09 Kovatch Enterprises – BOCA Holding Corporation – Planning Fees
31. 09.18.09 PIRMA – 2008 Annual Membership Report
32. 09.21.09 PSATS – Open Records – One Year Later
33. 09.21.09 Ohl Fuel Oil - Newsletter

Councilman DiMiceli moved and President DeMarco seconded to approve all communications and place them on file. All voted yes. Motion passed.

BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to deposit all receipts, approve all bills to be ratified and pay all other bills. 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 done painting because of the weather. He stated how Mother Nature did not help them out. He stated that they were going to start tarring.

Councilman Sniscak, Jr. stated how he had received a letter from Jim McLaughlin – the old Fire Company. He stated how the street was not painted off for his garage door. He stated how they get tractor trailers in to unload and there were cars parked right up against the curb cut for the drive way.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Councilman Sniscak, Jr. stated that if they would paint for the garage, driveway, it would only leave about a space half the size of the table to the corner. He stated that he was suggesting that they would paint the line straight through. Councilman Stromelo stated how that would not allow parking for his vehicle either. Secretary/Treasurer Ahner stated how they should get a ticket if they park there. Councilman DiMiceli stated to Councilman Sniscak, Jr. that he should make it clear to Mr. McLaughlin how it was not parking for his vehicles.

Councilman Zabroski asked which street they were going to start tarring first. Councilman Sniscak, Jr. stated that they were going to start with the New Columbus hill, which had to be done. He stated that they were going to run through all the tar they had.

Councilman Sniscak, Jr. stated how they were going to have to look at getting three items for the streets in January. He stated how the tractor was 25 years old; the dealer was telling them that it was costing them more to fix it then what it was worth because there were no parts to be found. He stated about a roller/vibrator around an 18 ton job and a tar machine because the machine they had was designed for 1930. He stated that it was costing them more money to operate it then to get the job done. Councilman DiMiceli stated that he would like to make a comment since it was budget time. He stated how he thought that there were other things they should be looking at instead of purchasing a roller. He stated about going another year with renting a roller when it was needed. Councilman DiMiceli stated about safety issues with cameras for the police cars next year. He stated how there were letters that went out to a couple of businesses asking for donations but he did not feel that they should be purchasing a roller. He stated how he was talking as a general council member, that the budget committee should not consider it; it was something that they could get by another year without.

Councilman DiMiceli asked how many times they had rented one during the year, 3 – 4 – 5 times. He stated that it was a lot cheaper to rent it right now then it was to go out and purchase when there were other things which were a little more important and they pertain to the safety of their police officers. Councilman Sniscak, Jr. stated that the reason they only did 2 – 3 times was because when they do not own a roller, they cannot go around chopping up streets because they have to rent a roller then they have to return it, then they dig up the street and have to return it. He stated how they cannot do a progressive job while they were renting. He stated how it would come out of Liquid Fuels. Councilman Sniscak, Jr. stated that under the budget, he had about \$20,000 that could be used toward the purchase of a roller. He stated how it could not be used for anything else. Councilman DiMiceli stated “sure it could”. Councilman Sniscak, Jr. stated “no it cannot”. He stated how Liquid Fuels cannot pay for anything except street repairs and equipment. Councilman DiMiceli stated how that was right and if they could do repairs and pay for rentals with the \$20,000. He stated how they would be better off using it to repair some of the streets. He stated about putting off the purchase of a roller for a year. Councilman DiMiceli stated how it was his opinion. He stated about the Budget Committee coming back with their opinion or their proposed budget. Councilman DiMiceli stated how he had put in his input on the purchase of a roller. He stated how he does not feel they have a need right now to purchase one. He stated how that was his opinion. President DeMarco stated how the opinion will be when the Budget Committee meets and tells them how much money there really was.

Councilman Zabroski asked what streets they were looking at paving. Councilman Sniscak, Jr. stated they were going to pave the three streets which were coming out of the county. He stated how it was top coat, not really digging up or repairing anything.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Councilman Zabroski stated about Pine Street & Allen Street. He stated how there were a couple of houses there and there was hardly any asphalt on the road. Councilman Sniscak, Jr. stated that he knew it. He stated how there was a street in Hauto which was also shot. He stated that the New Columbus hill was the biggest deal and that was going to cost the most. Councilman DiMiceli stated how there were Avenues in New Columbus which were completely dirt alleys. He stated how over the years they were oil and chipped and now they were just dirt. Councilman Sniscak, Jr. stated how they have to go with the worst streets and then go from there. Councilman Sniscak, Jr. stated that as President DeMarco pointed out, they were going to find out how there was not much there to work with now.

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

➤ **08.26.09 Sludge Removal – Bids**

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

R.C. Stahlnecker Co., Inc., Milton, PA	8.20 cents per gallon
Aqua Wastewater Management, Inc., Bryn Mawr, PA	6.93 cents per gallon
Beaver Valley Farms Liquid Waste Hauling, Bloomsburg, PA	7.15 cents per gallon
Russell Reid Company, Keasbey, NJ	9.47 cents per gallon
Biros Septic & Drain Cleaning, Inc., Zion Grove, PA	7.95 cents per gallon
Liquid Motion, Inc., Kutztown, PA	7.00 cents per gallon

Councilman DiMiceli asked if they were reviewed by the Engineer or if they needed to be. Secretary/Treasurer Ahner stated how they did not need to be reviewed by the Engineer.

Councilman Hawk moved and Councilman DiMiceli seconded to award the bid to Aqua Wastewater Management, Inc., at 6.93 cents per gallon. All voted yes. Motion passed.

**3. BUILDINGS RICHARD ZABROSKI, CHAIRMAN; ROSE WALCK, CO-CHAIRMAN;
DON DeMARCO**

Secretary/Treasurer Ahner asked if they could get the vents cleaned. President DeMarco stated about getting some quotes. Councilman Hawk stated how they have a company they deal with up at the plant. He stated that he would get her the name of the company.

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

- 08.25.09 Kustom Signals, Inc. –Car video systems
- 09.08.09 Kustom Signals, Inc. – Video Camera

Councilman Sniscak, Jr. stated how he did agree with Councilman DiMiceli about looking into the car video systems. He stated if they could get donations it would be great, but as things stood, he thought they were on the back burner. He stated how the officers were behind on qualifications for fire arms. Councilman DiMiceli stated how the money was in the budget for qualification and ammunition. He stated that when he gave out the letters, he high-balled the price of \$12,000. He stated how there was a COSTARS program which was going to expire at the end of next month. He stated that if they did not get the donations, they would not be able to purchase them that year. He stated how they might be talking around \$5,000 per car instead of \$6,000.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Councilman DiMiceli stated that he thought how it was something that needed to be put into the budget. He stated how they had talked about them for year. Councilman Sniscak, Jr. asked how many towns have them now. Councilman DiMiceli stated how they were in every state car and as for municipalities; he did not know or care what other towns had. He stated how he was worried about what they needed for their officers. President DeMarco stated how they will take a look at it when they meet to work on the budget and see what they would be able to come up with. Councilman Hawk stated how that was all they could do. He stated that if they got donations in the meantime, it would be great.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to move forward on the hiring of Brian White as a part-time police officer contingent on him successfully completing the next step. All voted yes. Motion passed.

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

- 09.14.09 Cynthia Roy – Thank you letter to the Garbage collectors

Councilman Stromelo stated about the thank you letter they received in regards to complementing the garbage pickers.

Councilman Stromelo stated how they had a problem with the truck. He stated how the injector went down. He stated how they borrowed a truck from Towamensing Township, who were gracious enough to loan them their vehicle. Councilman Stromelo stated that he would like to thank them. President DeMarco stated about a letter. Councilman Stromelo stated that there was a letter sent.

Councilman Stromelo stated how they were in the process of contract negotiations.

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

Councilman Stromelo stated how the fans and lights were installed at the Recreation Center. He stated how it looked 90% better. He stated how they still needed to get the back door installed and several other smaller things but it was looking much better.

Councilman Stromelo stated that they had a meeting about 2 months ago. He stated that everything was still moving along. He stated that they will be having a Halloween Party. Councilman Hawk asked about a date for the party. Councilman Stromelo stated that he did not know when it was going to be held yet.

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

- **2010 PMRS & Police Pension Fund MMO amounts and request for approval**

Councilman Sniscak, Jr. moved and Councilman DiMiceli seconded to approve the 2010 PMRS MMO in the amount of \$33,745.00 and the 2009 Police Pension Fund MMO in the amount of \$130,460.00. All voted yes. Motion passed.

Councilman DiMiceli stated about writing letters to Representative McCall and to the Senator opposing any pension plan changes that the Government wants to make. He stated how it would be detrimental to the municipalities, like them. He stated how they were looking to cut back on money coming to the municipalities their size and with pension funds that were sound.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

Councilman DiMiceli stated that they want to divert the money to Philadelphia, Pittsburgh and other distressed Pension Funds. Councilman Hawk stated that he would be in favor of sending the letters.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to allow Solicitor Yurchak to contact their State Representatives and oppose any Pension changes. All voted yes except Councilwoman Walck who was not voting. Motion passed.

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 RICHARD ZABROSKI

- Frank DiMiceli – Automatic Fire Alarms

Councilman DiMiceli stated how they were at two automatic fire alarms since the ordinance had been enacted for 90 E. Catawissa Street. He stated how they were probably going to be experiencing the third one soon. He stated how at that time, he wanted Mr. McArdle to take point with the other fire chiefs as far as submitting the paperwork to the Borough including any equipment cost. He stated that when the money came in that each fire company would get their respective amount. He stated that it would be a minimum of one hour billed for each activation.

- Fire Department Summary Report for August
- Ambulance Corp Summary Report for August

Councilman DiMiceli stated that he would like to read the reports for August:

- 1 dwelling fire
- 1 motor vehicle accidents
- 2 mutual aid to Rush Township/Jim Thorpe
- 2 call for fire police
- 2 Automatic fire alarms
- 2 Pumping details (one for Lansford)
- 1 Spill containment
- 1 CO detection

Councilman DiMiceli stated how there were 141 total calls that year. He stated that there were 8 Automatic fire alarms for the High School Apartments, none for the Carbon County Housing, and one for the prison.

Councilman DiMiceli stated how the ambulance response for August was 26 calls and 566 miles. He stated that the total to date was 300 calls and 6,002 miles traveled. He stated how there were 11 EMS calls handled by KME employees during work for a total of 102 for the year. He stated how it cost Mr. Kovatch \$53 an hour when he lets them go on a call.

- Hydraulic rescue jacks

Councilman DiMiceli moved and Councilman Zabroski seconded to allow Hauto Fire Company to purchase the hydraulic rescue jacks for their Hurst Unit.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

10. LIGHTING/ELECTRIC FRANK DiMICELI CHAIRMAN; RICHARD ZABROSKI, CO-CHAIRMAN; ROSE WALCK

- 09.15.09 OnDemand Energy Solutions – Managing energy delivery & consumption
- 09.22.09 Damon – email on cost breakdown

Councilman DiMiceli stated that the committee met with a representative from On Demand Energy Solutions and it was going to be very beneficial to the Borough. He stated how they were going to be placed in pool #3, which should be filling up by the next Council Meeting.

Councilman DiMiceli moved and Councilman Hawk seconded to approve whatever paperwork needed to be completed to proceed with the project along with joining the Carbon County Chamber of Commerce at a cost of \$50.

Councilman DiMiceli stated that they should see a 15 – 30% lower rate then if they would stay with their current utility company for next year. President DeMarco asked if it was by contract. Councilman DiMiceli stated “yes”. He stated that Solicitor Yurchak had reviewed the contract already. Solicitor Yurchak stated how nothing seemed to be out of order. Councilman DiMiceli stated that it was “pay as you go”. He stated how it was an energy pool. He stated that they will get a discount rate because of purchasing blocks of electricity.

All voted yes. Motion passed.

Councilman DiMiceli stated that the committee sat down with Tim Moran in regards to the lights for in the parks. He stated that Mr. Moran was going to get back to them with what kind of lights, poles and a cost break down.

Councilman Zabroski stated that it was brought to his attention about the lag in response time from when a street light goes out and is reported until they get it fixed. He stated that they should write a forceful letter stating how they need to see something a little more pro-active when a light was reported. He stated how it should not take a week or two to get a response. President DeMarco stated how they will have Solicitor Yurchak write a letter.

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

JR. RECREATION COMMISSION

Mayor Walck stated how they were in the process of trying to come up with a fund raiser to be able to purchase items for Thanksgiving for the elderly shut-in residents of Nesquehoning.

NEW BUSINESS

President DeMarco recognized Victoria Smith who was sitting in the audience. Ms. Smith stated that she was attending the meeting for a project she was doing for her Government class. President DeMarco stated that they were happy to have her there.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 23, 2009 at 7:00p.m., Borough Office

OLD BUSINESS

No old business.

ADJOURNMENT

Councilman DiMiceli moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes.
Meeting adjourned at 8:16 p.m.

RoniSue Ahner

RoniSue Ahner
Secretary-Treasurer