

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, March 24, 2010 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN DiMICELI, HAWK, SNISCAK JR., ZABROSKI;
COUNCILWOMEN FOX, WALCK; MAYOR WALCK; SOLICITOR
YURCHAK; & CHIEF SMITH

Vice-President Hawk called the meeting to order at 7:02 p.m.

Councilmen DiMiceli was present via telephone.

President Stromelo was absent.

MINUTES: Approve the minutes from the Regular Meeting held on January 27, 2010.
Councilman Zabroski moved and Councilwoman Walck seconded to approve the minutes from the Regular Meeting held on January 27, 2010. All voted yes. Motion passed.

HEARING OF VISITORS

John Kennedy – 78 E. Mill Street – stated how he had talked to Chief Smith about it, but he wanted to ask Council a question. He stated that he was up late watching television Friday night (Saturday morning), his daughter was in bed and his wife was out with some family members. He stated how he went into the bathroom downstairs, which has a big window facing the railroad tracks. Mr. Kennedy stated how he then heard 4 or 5 shots. He stated how he was in the military and knows what gunfire sounds like. He stated how he heard the metal clinking. Mr. Kennedy stated that he had hit the deck because he was scared. He stated that he called 9-1-1 from his cell phone. Mr. Kennedy stated that he had told them that he reported how he heard shots fired, real close. He stated how he was on Mill Street, gave his name, and that they might be at CVS. Mr. Kennedy stated how he was concerned because his wife was coming home. He stated how he had gotten his shotgun and loaded it. He stated how he thought that they might try to get into the house. Mr. Kennedy stated that he had looked out and looked around but did not see anybody. He stated how he sat there until 4:30 a.m. and did not see anyone except a pickup truck from 1:30 a.m. to 4:30 a.m.

Mr. Kennedy stated how he had found out from Chief Smith that some kids had found some shotgun shells. He stated how they had gotten a shotgun, more than likely a 12-gauge, because they threw the shells in the creek. Mr. Kennedy stated how he had called the police station the next day and left a message on how he had found out some other information. Mr. Kennedy stated that shots were fired: no one came to his house; no one called him, no one asked him what was going on, did he see anything. He stated that when he called the police station a day or two later, no one contacted him or called him.

Mr. Kennedy stated how it was pretty scary at 1:30 in the morning. He stated how he was really concerned and he was sure that there were other calls that night. He stated how he was really concerned when reporting shots fired and wanted to know why nobody got back to him. Chief Smith stated how he had talked to Mr. Kennedy about it. Mayor Walck asked Chief Smith if Officer Breiner was in the office and if he would ask him to come to the meeting room.

Councilman Hawk asked Mr. Kennedy if he specifically requested them to come to the house. Mr. Kennedy stated that shots fired and asked if he would have to make a request. Councilman Hawk stated that if they had received multiple calls and were doing an investigation of the area, they might not visit every house of everyone who called. Mr. Kennedy stated how he was getting the same response from everyone; why should they come to his house, he heard shots fired and metal clicking.

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Ted Dacey asked Mr. Kennedy if he knew if they gave his info to the police. Mr. Kennedy stated how he had given them his name, cell phone number. Mr. Dacey stated how there are a lot of times that they do not give the officer that info.

Mickey Angst stated how he had just come from the School Board meeting. He stated that he would like to read a press release that the school had issued on the same subject (attached).

Mr. Angst stated how it was not the first incident of vandalism. Councilwoman Walck asked Mr. Angst if anyone had played back the cameras to see if anything could be seen. Chief Smith stated how they did. He stated how he spoke to Rose Poremba and Smokey. He stated how Officer Breiner was also down and inspected it. Chief Smith stated how there were multiple calls on it. He stated how they were dispatched to the east end of town. He stated how there was no mention to Mill Street. Chief Smith stated how they had talked to multiple people who heard the shots. He stated how everybody said that it was either a hand gun or a rifle. Chief Smith stated how all of that was explained to Mr. Kennedy.

Mayor Walck stated how he would like Officer Breiner to speak on the call he received. Officer Carl Breiner stated how he received a call at approximately 1:20 a.m. on Saturday morning. He stated how he was dispatched to the area, no specific location; they said the area of the 200 block of East Center or East Catawissa Street for a series of rapid gunshots. Mayor Walck stated how he could attest to that because he was on the phone with Officer Breiner when the Communications Center called him. He stated how he heard the Communications Center tell Officer Breiner multiple gunshots were heard between, they did not know if it was the 200 block of East Catawissa or East Center Street. He stated how he had told Officer Breiner to go and to make sure he got back-up. Mr. Kennedy stated that there may be a problem at the Communications Center because when they call the Communications Center; the first thing they ask for is a name and an address. Chief Smith stated how they did not know until Bill Hunsicker called. He stated how it was addressed immediately. Chief Smith stated to Mr. Kennedy that they did not know how he was one of the callers. Mr. Kennedy stated how someone should not have to tell the Communications Center to send someone because somebody was shooting at them. Chief Smith stated how he would not speak on the Communications Center's behalf. He stated how that was the information they were given and that was the information they acted on.

Chief Smith stated how they had followed through and were down at the School. He stated how Mrs. Poremba thought they did an outstanding job with the follow-up. Mr. Kennedy stated how he would like someone to find out from the Communications Center what happened when he called around 1:30 a.m. Chief Smith stated how they had multiple units there. Councilwoman Walck asked Mr. Kennedy when he had not seen an Officer in a reasonable amount of time, did he call the Communications Center back. Mr. Kennedy stated that he was going to but he was more concerned with his wife getting home. Councilwoman Walck stated that as soon as she had received the call from Mr. Hunsicker, she relayed the message to the Police Department and they responded immediately to check things out. Chief Smith stated that they have had vandalism down there in the past. He stated how there were only four full time police officers and they were expecting things that a ten-man force should have. He stated how it was one man on a shift. Chief Smith stated that they were doing the best that they can.

Chief Smith stated to Mr. Kennedy that he apologized but dispatch did not give them the information and it was not indicated on any reports. Mayor Walck stated that when he had heard the call while on the phone with Officer Breiner, they had made no mention of the Elementary School.

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Councilwoman Fox asked if that could be followed up with the Commissioners or with the Communications Center. Mayor Walck stated how they have the tapes from the Communications Center. He asked Chief Smith if they had the tapes from the Communication Center. Chief Smith stated “no”. Mayor Walck stated that he meant the information. Chief Smith stated that everything was logged into their computer. Mayor Walck asked if there was a specific call to go to the School. Chief Smith stated “no”. Mr. Kennedy stated about his voice being on the tape at the Communications Center. He stated about his name and his address along with the time and shots fired being on the tape at the Communications Center. Chief Smith stated how they were not given that information. Mr. Kennedy stated how it was his understanding that every call was taped. Chief Smith stated “yes”. Mr. Kennedy stated how there was no evidence of him calling with several replies of “no”.

Mayor Walck stated how that night the Officer on duty was not given the information of who called in the report; he was only told that there were shots fired and the area was the 200 block of East Center or East Catawissa Street. He stated how there was no mention of the Elementary School. Mayor Walck stated how they had checked the area out but they could not find anything. He stated how Mr. Hunsicker called him on Sunday and he in return called Officer Breiner that night to have him call Mr. Hunsicker, which he did. Mr. Hunsicker stated “yes”. Mayor Walck stated how Officer Breiner went over everything with Mr. Hunsicker and Chief Smith went down to the school Monday morning. He stated how that was when they did a complete investigation with the school and found out what had transpired down at the school. Mr. Kennedy asked why they think that when someone calls 9-1-1, says shots fired and gives their name, address and phone number; why would an officer not come down there. Councilman Hawk stated how it was not dispatched that way. He stated how the officer did not have that information. Chief Smith stated how the Communication center had multiple calls at the same time. He stated how they had talked to several people who called the Communication Center and had they known he called, they would have gone to his house.

Mr. Angst stated how he knows that someone reported it that lives in the area of the school. Councilman Hawk stated how their officers can only act on the information they get from the Communication Center. He stated how they believe that Mr. Kennedy called the Communications Center and he was sure that if they would go up and check the records or the tapes, the records would be there. He stated that, apparently, there were multiple calls; the Communication Center only dispatched limited information. Councilman Hawk stated how it appeared that their officers acted appropriately for the information they had and he cannot find a fault with anything their officers did.

Councilman Hawk stated about Chief Smith, in his business with the Communication Center to try and get them to be more diligent about releasing pertinent information during a call like that. Chief Smith stated how he would gladly get in touch with Gary Williams.

Councilwoman Walck stated how it was very nice of the School Board to close the playground down and how that will, hopefully, prevent future vandalism because, like Chief Smith said, they have a limited amount of officers. Chief Smith stated about speaking to Mrs. Poremba several times and how she was going to speak to the Board. He stated they were going to do some extra patrols and it would be a strict enforcement.

Bobby Stempa – Nesquehoning business owner – stated how he had a little problem with the big snowfall that winter when he found out the day after the snowfall how he was not allowed to work in the Borough of Nesquehoning because, apparently, he never filled out the proper paperwork or sent the proper information that was needed. He stated how he had never denied anything the Borough ever needed.

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Mr. Stempa stated how he did not know where it came about, how it was started, whatever happened, or what was supposed to be mailed out. He stated that he would like to know when it started or how it came about that he was supposed to put in paperwork as a contractor in the town so he could work. Councilman Hawk stated that he did not know if anyone had an answer that night. He asked Secretary/Treasurer Ahner if she knew when the request for information was sent out. Secretary/Treasurer Ahner stated how she had not sent anything out to any contractor. Mr. Stempa stated how all of his equipment sat through an entire snowstorm when he could have been working. Councilman Hawk stated how he was not aware of where that originated. He stated how Council President was not there and he might have that knowledge but he was not aware of what was sent out, what was requested or what was received back. Mr. Stempa asked about finding out so he knew who was taking food off his table before it hits it. Councilman Hawk stated how they will look into it and, hopefully, get an answer for him. He stated that he did not know that night.

Mr. Stempa stated about Ratcliff Street between Mill Street and Catawissa Street and how it became a one-way street approximately six months ago. He stated how he wanted to know what the reasoning was that they had to make that a one-way street next to three businesses and a church. He stated that he wanted to know if anyone had the exact reason why they did it, how they diagnosed the problem other than how he was told that all three fire chiefs in town agreed to it. He asked why that hill was a one-way street going from Catawissa down to the church. He asked for what reason did they need it because it was a disaster for anyone who has a business on those streets down there. Mr. Stempa asked if they looked it over, if they did traffic studies; how did they go about doing it to say how that needed to be a one-way since it was the second biggest hill other than Mermon. He stated that with the parking on one side, they were still able to pass two cars. He stated how people still go up the hill. He stated how it was screwing up the west end of Nesquehoning. Mr. Stempa stated that if they did not use the stoplight hill and want to come down the back street, they will end up sitting for a half hour when the Church was letting out. Mr. Stempa stated how he would like it to be checked into why it has to be a one-way street. Mr. Angst stated how he did not see any sense at all for that street to be a one-way. He stated how he was going to request it be changed back to a two-way street. Councilwoman Fox stated how she did agree. Councilman Hawk stated how they would refer it to the appropriate committee to look at it to see if there was still a desire to keep it that way or change it back.

John Barna – 32 E. Columbus Avenue – stated how he was at the January meeting concerning the weekend of December 19, 2009 and how eight cars in his block received parking tickets for being on the wrong side of the street. He stated how they did not complain because they were on the wrong side. Mr. Barna stated that he wanted to know why they did not plow the street. Councilman Sniscak, Jr. stated how they had two guys on vacation and they only had one gentleman plowing. He stated how his job was to clear all the streets so the Police, Fire and Ambulance vehicles could get through. He stated how once he was done with that then they will do curb to curb. He stated how it has always been their policy.

Councilman Sniscak, Jr. stated how he was given an order to clear the streets. Mr. Barna asked that once they did everything else then they would come back to plow. Councilman Sniscak, Jr. stated how they would come back to do curb to curb. Mr. Barna asked when they plowed E. Columbus Avenue, the first block. Councilman Sniscak, Jr. asked him if it was the 18th or the 19th. He stated to Mr. Barna that what happens was once the driver goes through, he had all of Nesquehoning to plow, all of New Columbus and then there was a time change for the cars to move back and then he can not plow. Mr. Barna asked why he did not plow the street where there were no cars. Councilman Sniscak, Jr. stated how he had just told him.

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Mr. Barna stated how all the cars were on the wrong side, he did not plow that side. Councilman Sniscak, Jr. stated how he did what his job was which was to clear the main part of the street so cars could get by; not so cars could park. He stated how he had to do all the hills, all the streets. Councilman Sniscak, Jr. stated how he knew what he was saying about taking the time and plow it. Mr. Barna asked when he plowed the street. Councilman Sniscak, Jr. stated how Mr. Fox went through and did his job of plowing the main street. He stated how it did not matter if there were no cars there. Councilman Sniscak, Jr. stated that he did not know what time but he was called out at 11:00 p.m., which was just before the change comes around. He stated that he did his job. Mr. Barna stated how he was not questioning that he did not do his job. He stated how he was questioning why he did not plow the other side. Councilman Sniscak, Jr. stated how that was not what he was supposed to do. He stated how he was supposed to plow the main roadway. Mr. Barna asked if he could tell him when Columbus Avenue was plowed. Councilman Sniscak, Jr. asked Mr. Fox if he knew when he was up there. Mr. Fox stated that he did not know because he did not keep track of it. Councilman Sniscak, Jr. stated about several times how he had the whole town to do. He stated how Mr. Fox could not give him that answer and neither could he.

Mr. Barna asked if he would tell him that by 10 o'clock he was not up to plow Columbus Avenue yet, would he believe him. Councilman Sniscak, Jr. stated how he would believe him, up to Columbus Avenue with one guy on. Mr. Barna asked how he was saying a bad thing on how they only had one driver on. He stated that they did not have enough men to plow the streets properly. Councilman Sniscak, Jr. stated how they were on vacation. He stated that if he remembered correctly that snowfall was supposed to be 6-8 inches and Nesquehoning only got 4 ½ inches. Councilman Sniscak, Jr. stated how they do not waste the taxpayers' money by calling independent contractors out. Mr. Barna stated how he had just said what he wanted to hear and that was how they were calling for 4-8 inches. Councilman Sniscak, Jr. stated how they had only gotten 4 inches. Mr. Barna stated how everybody in his block parked on the illegal side so the Borough could plow the other side so they could move the cars over. Councilman Sniscak, Jr. asked Mr. Barna why he would park on the illegal side. Mr. Barna stated that they parked there to wait for the Borough to plow the other side. Councilman Sniscak, Jr. stated that if they were parked on the illegal side, they had received a ticket. He stated how it did not matter about the other side not being plowed. He stated that if they would do that, then everybody would park where they wanted to park. Mr. Barna asked if they would have a new driver on, would he know what side was "no parking". Councilman Sniscak, Jr., Councilwoman Walck and Mayor Walck stated about the signs that were posted. Mr. Barna stated how he could not see those signs at night. Councilman Sniscak, Jr. stated how he lived there and should know what the signs were.

Councilman Zabroski stated how that winter was a learning experience for them all. He stated how they had more snow that winter than what they had in awhile. He stated how they have all talked about it and understands that things have to change. Councilman Zabroski stated how it was something they were going to address. He stated how Councilman Sniscak, Jr. was trying to say that the main job, the first night of any snowstorm, was to open up the streets for emergency vehicles only.

Mr. Barna questioned the snowplowing for the snowstorm in February. He stated how all the plows did was to push the snow up against the parked cars. He stated about how deep the snow was and how he had to shovel his car out. Mr. Barna stated how eight cars got tickets and only six tickets were paid. He stated how he did not pay his ticket. He stated how to that day he had not paid his ticket. Mr. Barna stated that if he did not have to pay his ticket, then the rest of the people in his block should not have had to pay the ticket. He stated that if he was going to go to court, they should let him know because it had been over 90 days.

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Councilwoman Fox asked Chief Smith what would happen with his ticket now. Chief Smith stated how there was something he had to check into. He stated how they had a year to file on a traffic citation.

Frank Jacobs – 244 W. Railroad Street – stated how he did not know what happened but once it was plowed to the curb, they could move back. He stated how they must have moved back on Rhume Street and got tickets. Mr. Jacobs stated how people come in and complain about the streets and how they were plowed but Nesquehoning should be proud because their streets were plowed much better than some of the other towns. Chief Smith stated how they were complimented on their streets. He stated how there was only a handful of people who received tickets. Mr. Jacobs stated how it was always the policy that the people could move their cars back without getting tickets, once the snow was plowed to the curb. Councilman Zabroski stated how they were going to look at it, not just the parking curb to curb, because it seemed like there was a lot of different ways they have to park in Nesquehoning. He stated how they were reviewing it to make it easier. Councilman DiMiceli stated that if he remembered correctly, at the December's meeting, he had made a motion to get through the current winter with the Parking Ordinance and they would revert back to the Ordinance that was in effect prior to that Snow Parking Ordinance. He stated that they were going to go back because the current Parking Ordinance was too confusing. Councilman Hawk stated how Councilman Zabroski had made mention to that. He stated how there were a few changes that they would have to make to the old ordinance.

Tom Merman – 512 E. Center Street – asked if the Borough was involved in any way with the problems OLMC had. He stated how last month he had seen a bill that was submitted for payment. Solicitor Yurchak stated how the Borough Council was not involved in the appeal at all. He stated how it was brought up to Council asking if they wanted to get involved and they had said “no”. Solicitor Yurchak stated that the bill last month was for the conflict Counsel for the Zoning Hearing Board. He stated how Michael Greek could not handle it because he had a conflict of interest. He stated how another attorney was asked to handle it and when there was an appeal, that attorney has to follow it down to court. Mr. Merman asked if Solicitor Yurchak was allowed to handle it because he was the Borough's solicitor. Solicitor Yurchak stated how he was not able to do it for the Zoning Hearing Board. He stated how the Zoning Hearing Board had to defend their decision. He stated how it was a separate entity. Mr. Merman stated how he was concerned with the Borough having separate entities and it was the taxpayers paying the money. He stated about the Water Authority being separate from the Council.

Solicitor Yurchak stated how he had represented the Zoning Hearing Officer at the original Zoning Hearing Board. He stated how he would have been in a conflict as well. Mr. Merman stated how there was no conflict when someone was sitting on one part and also on the other part. He stated about only collecting pay from one. He stated how he was referring to Councilman Hawk. Mr. Merman stated how it was so confusing when he wanted to ask a question. He stated how when he wants to ask a question about water, he gets told how it was not the meeting for the Water Authority. Mr. Merman stated about the water having to do with the sewage. He stated about how some of the people have wells and how much they get charged for their sewage.

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POLICE REPORT

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

\$707.46 fine money received from Magistrate Kosciolk; \$64.42 fine money received from Magistrate for Sanitation Fines/Bills; \$300.00 received in Carbon County Collections; \$0.00 received in DUI reimbursements; \$0.00 received in Motor Vehicle reimbursements; \$0.00 received from Carbon County Restitution; \$0.00 received from Attorney General for overtime reimbursement; \$0.00 received in State Fines; \$75.00 received in parking tickets; \$210.00 received in moving permits; \$60.00 received in accident reports; 446 total officer contacts/follow-ups; 22 citations [3 non-traffic & 19 traffic]; 23 incidents reported for the month; arrests were attached to the second sheet; 0 search warrant; 0 consent searches; 4 traffic accidents (2 reportable – 2 non-reportable); 9 court appearances and the mileage total was 3,547 (725 – 2008 Crown Vic; 1,771 – 2008 Chevy Impala; 10 - 2003 Crown Vic; 0 - 2005 Expedition; 1,041 – 2009 Ford Crown Vic).

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

Chief Smith stated that all the Council Members had received a copy of his February Code Report. He stated that Officer Blisard also submitted his code report for the month of February.

Councilman Zabroski moved and Councilwoman Walck seconded to accept the Police and Housing & Code Enforcement Reports. All voted yes. Motion passed

Mr. Kennedy asked who he would contact at the Communications Center. Chief Smith stated that it was Gary Williams and he would also be contacting him the next day.

EXECUTIVE SESSION (if needed)

Borough Council entered into an Executive session at 7:54 p.m. for personnel matters. The Council members exited their Executive session at 8:15 p.m.

PLANNING COMMISSION REPORT

No report.

CIVIL SERVICE COMMISSION

No report.

PANTHER CREEK ADVISORY REPORT

No report.

ENGINEER'S REPORT

- 01.26.10 Carbon Engineering -2009 NBIS Inspection
- 03.08.10 Carbon Engineering – Road Study – Park Avenue

Solicitor Yurchak stated how he believes that there will have to be an ordinance done to implement the road study and a weight limit. He stated how he would need the authority to draft an ordinance for Council to review.

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Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to allow Solicitor Yurchak to draft an ordinance for the Park Avenue road study and weight limit study. All voted yes. Motion passed.

- 03.09.10 Carbon Engineering – Police Office Renovation

SOLICITOR'S REPORT

Solicitor Yurchak stated how the ordinance amendment to implement Act 51 regarding the Police Pension Plan and repealing the killed-in-service benefit had been advertised and reviewed by the actuaries.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to adopt the Act 51 Ordinance Amendment to the Police Pension Plan. All voted yes. Motion passed.

- **121 E. Columbus Avenue**

Solicitor Yurchak stated how he and Secretary/Treasurer Ahner had discussed the Sparich property. He stated how their demolition specifications were ready; however, they were discussing about selling the property “as is” with the requirement that it be demolished in a short period of time or demolishing the property and then selling the vacant lot. Councilman Sniscak, Jr. stated how he thought they would be better off to sell the property “as is”. He stated how they do not have the equipment to do a demolition. Councilman Hawk asked if they had sufficient teeth to make sure that if it was sold, the buyer would live up to the demolition. Solicitor Yurchak stated how they would have to make the sale conditional upon doing it within so many days.

Councilman Hawk stated how they do not want to go through it again to take the property back. He stated how they have had so many complaints and it had been going on so long, he would hate to see it being sold and that person being delinquent in following through and having to go through it again. Councilman Zabroski asked what an estimated cost of the demolition would be. Councilman DiMiceli stated about something being drawn up concerning a bond and if it was not demolished within 30 days or a reasonable amount of time, they would forfeit that bond to the Borough and in return the Borough would use that money to tear down the property. Solicitor Yurchak stated how they could do it that way but they might not get anyone to bid on it. Councilman Hawk stated about having to sell the property for what it cost to tear it down. He stated how the question might be if someone would be willing to pay for it . . . Councilman Sniscak, Jr. stated about after the demolition. Councilman Hawk stated about selling it with requiring a bond and would someone be willing to bid on it. Councilman DiMiceli stated how bonds were usually cheap. He stated that if someone had good intentions of tearing it down. He stated how it would protect the Borough in the event they would decide not to tear it down. Councilman Hawk stated how they would have to get an estimate on what it would cost to tear it down and make sure there was a sufficient bond to cover it.

Councilman DiMiceli stated how they should get an estimate to begin with before they decide they were going to tear it down and sell it because they might be able to make a profit. Solicitor Yurchak stated how he could proceed with the bids for the demolition. Councilman Zabroski stated how he felt that they need to make a move on it one way or another. Solicitor Yurchak stated that he will fax the bid to the paper the next day. Councilman DiMiceli stated that if they decide to sell the property, there would have to be conditions. Solicitor Yurchak stated how they were going to advertise the bids for demolition.

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- 02.25.10 Robert T. Yurchak letter to PLRB
- 03.02.10 Robert T. Yurchak letter to Joseph J. Matika, Esquire
- 03.03.10 Robert T. Yurchak letter to William Josem, Esquire
- 03.07.10 Robert T. Yurchak letter to Michael S. Greek - Stoffa property
- 03.15.10 Michael S. Greek letter to Atty. Yurchak – Stoffa property

Solicitor Yurchak stated about the letter from Michael Greek regarding the Stoffa property. He stated how that was another property that was falling down, terrible condition, getting lots of complaints from the neighborhood. He stated how there was no money to address the condition of the property. Solicitor Yurchak stated how there was a Department of Public Welfare (DPW) lien for \$13,000 on the property. He stated how they were offering it to the Borough but he would be reluctant until they see what can be done with the lien. Councilman DiMiceli stated how he thought there was more than one lien on the property. Solicitor Yurchak stated how Attorney Greek had put it in writing on how there was only one lien.

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JIM THORPE NATIONAL BANK TREASURER'S REPORT

GENERAL FUND

Balance 01.31.10 101,013.97
Receipts 45,284.41
Expenditures 77,204.68
Balance 02.28.10 69,093.70

GENERAL SEWER CONSTRUCTION FUND

Balance 01.31.10 10,273.57
Receipts 3.94
Expenditures .00
Balance 02.28.10 10,277.51

SPORTS COMPLEX FUND

Balance 01.31.10 2,750.72
Receipts 22.75
Expenditures 1,347.61
Balance 02.28.10 1,425.86

SANITATION ESCROW

Balance 01.31.10 71,848.69
Receipts 19.29
Expenditures .00
Balance 02.28.10 71,867.98

DEBT SERVICE

Balance 01.31.10 1,926.01
Receipts .74
Expenditures .00
Balance 02.28.10 1,926.75

FIRE TRUCK FUND

Balance 01.31.10 90,735.19
Receipts 187.55
Expenditures 13,285.86
Balance 02.28.10 77,636.88

CAPITAL PROJECT

Balance 01.31.10 90,237.96
Receipts 104.99
Expenditures .00
Balance 02.28.10 90,342.95

SANITATION FUND

Balance 01.31.10 128,990.69
Receipts 95,887.51
Sewer 13,012.50
Expenditures 46,478.58
Balance 02.28.10 165,387.12

HIGHWAY FUND

Balance 01.31.10 91,258.16
Receipts 32.29
Expenditures 8,141.73
Balance 02.28.10 83,148.72

PLANNING FUND

Balance 01.31.10 10,924.75
Receipts 2.93
Expenditures .00
Balance 02.28.10 10,927.68

GENERAL SEWER FUND

Balance 01.31.10 87,878.67
Receipts 28,787.48
Expenditures 28,487.18
Balance 02.28.10 88,178.97

SEWER OPERATING & MAINTENANCE

Balance 01.31.10 30,198.56
Receipts 25,139.75
Expenditures 24,889.60
Balance 02.28.10 30,448.71

POLICE PENSION FUND

Balance 01.31.10 510,409.38
Receipts 1,854.36
Expenditures 9,939.48
Acct Appreciation 7,209.35
Balance 02.28.10 509,533.61

ACQUISITION & RENOVATION

Balance 01.31.10 117,256.09
Receipts 44.97
Expenditure .00
Balance 02.28.10 117,301.06

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

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CD REPORT

<u>FUND</u>	<u>CURRENT VALUE 02.28.10</u>	<u>INTEREST 02.28.10</u>	<u>OPENING DATE</u>	<u>CURRENT RATE</u>	<u>RENEWAL DATE</u>	<u>BANK</u>
PLANNING	\$ 15,255.28	\$ 29.20	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 359,356.05	\$ 687.86	08-20-09	2.50 %	08-20-12	JTNB
GEN. SEWER	\$ 11,712.85	\$ 30.87	12-03-08	3.44 %	06-03-10	JTNB
DEBT SERVICE	\$ 13,493.15	\$ 25.83	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 104,797.38	\$ 314.65	06-02-05	3.92 %	06-02-10	JTNB
DEBT SERVICE	\$ 18,230.07	\$ 29.88	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 20,180.54	\$ 33.07	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 9,891.37	\$ 16.21	06-22-09	2.14%	06-22-11	JTNB
GEN. SEWER	\$ 77,047.51	\$ 126.28	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,664.04	\$ 15.84	06-22-09	2.14%	06-22-11	JTNB

Councilman Zabroski moved and Councilwoman Walck seconded to accept all reports to this point (Planning Report-CD Report). All voted yes. Motion passed.

EMERGENCY MANAGEMENT REPORT

John McArdle stated how the fire chiefs had talked about the Borough Council placing a burning ban on within the Borough.

Councilman Zabroski moved and Councilwoman Walck seconded to enact a burning ban until further notice. All voted yes. Motion passed.

MAYOR'S REPORT

- **Proclamation – Todd Sheckler, McDonald's**

Mayor Walck stated how he had given a proclamation to Todd Sheckler for achieving the highest award from McDonald's. He stated how it was only given to the top 1% of the McDonald's Restaurants for their cooperation in the community.

- **Crime Watch Meeting, May 4, 2010 at 7:00 p.m.**

Mayor Walck stated how the next crime watch meeting was Tuesday, May 4th at 7:00 p.m.

- **Chief request – Equipment Purchase**

Mayor Walck stated how there was equipment that the Chief had requested. He stated that the first part were items needed to complete his kit. He stated how the others were things he would like to purchase. Councilman DiMiceli asked what was on the second part. Mayor Walck stated how it was casting equipment to take footprints. Councilman DiMiceli stated how he thought it should all be approved.

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Councilwoman Fox asked if it was discussed with Public Safety. Councilman DiMiceli stated about the first part with the crime scene kit and the portion for the casting of footprints. Councilman Hawk stated how they had discussed it but they did not have the actual request that night with the figures. He stated how the additional equipment he was requesting was \$236.90. Councilman Hawk stated about splitting it up and purchase one portion that month and the other portion next month.

Councilwoman Fox moved and Councilwoman Walck seconded to approve the purchase of the equipment needed immediately for \$208.60 and purchase the casting equipment at a later time. All voted yes. Motion passed.

- **Chief request – Taser Instructor Training**

Mayor Walck stated about another request concerning taser training, which was available. He stated how he did not have all of the information such as if it was a free training. He stated how the purchasing of the tasers was \$800.00 each and the Chief was asking for two of them. Councilman Sniscak, Jr. stated how he did not think the fee was going to be that high but the law did require that at least one officer runs through it. Councilwoman Walck asked if there were dates. Mayor Walck stated how there were no dates listed. Councilwoman Walck stated about waiting until they get more information. Councilman Hawk stated how they would need more information before they do anything. He stated how he thought that Public Safety should have a meeting and decide if they want to get involved with tasers in the Department. Councilman DiMiceli stated how he thought that they had discussed tasers before and they had decided that they were not going to use them. He stated about several reasons; liability issues and it also puts another step in the use of continuum for use of force. Councilman DiMiceli stated how he thought they agreed that they were not going to be involved with tasers because of the inherent liability when they were used. Councilman Hawk stated how that was Council's decision the last time it was brought up. He stated how they were either going to have to confirm their decision or go ahead with it. Councilman DiMiceli stated how they should table the issue and discuss it as an entire Council. Councilman Hawk stated how it will initially come up under the Committee and then come up before Council.

Councilman Zabroski moved and Councilwoman Walck seconded to table the taser training until the Public Safety Committee has a chance to review and receive all the information. All voted yes. Motion passed.

Mayor Walck stated how he had just received the information on how the officers have to go to their annual updates. He stated how they will be in May. He stated how Chief Smith would like to send three officers on May 18th and 19th and the other three officers on May 25th and 26th.

Councilwoman Walck moved and Councilman Zabroski seconded to allow Chief Smith to schedule the officers for the mandatory update training. All voted yes. Motion passed.

- **03.17.10 Jim Thorpe Police Department – Word of thanks**

Mayor Walck stated how they received a letter from Chief Schatz from the Jim Thorpe Police Department and he would like it placed in Officer Carl Breiner's personnel file (letter attached).

Councilwoman Walck moved and Councilwoman Fox seconded to place the letter of commendation in Officer Breiner's personnel file. All voted yes. Motion passed.

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Mayor Walck stated that on March 21, 2010, he attended the Weather Emergency Preparedness Exercise, which was held yearly. He stated how there were 25-28 people there and they simulated a tornado coming through Carbon County.

Mayor Walck stated how the one thing he had just received from Senator Musto's office; there was a grant that was applied for through the State by the Carbon County Conservation District. He stated how it was for the Nesquehoning Creek phase 1, stabilization. He stated how they were going to get the money for the project, \$162,508.00.

Councilman Zabroski moved and Councilman Sniscak, Jr. seconded to accept the reports to that point (Emergency Management and Mayor's reports) including the exemptions under the Tax Collector's report. All voted yes. Motion passed.

TAX COLLECTOR'S REPORT

- Carbon County Tax Collection Committee By-Laws – EIT & LST

EXEMPTIONS:

Justin Gower	Deceased
Brian Sommers	Non-Resident
Vito Focht	Bankruptcy (2005,06,07,08,09)

APPLICATIONS:

Joseph Krebs	Patrolman
Ryan J. Poeldnurk	Maintenance
Lou M. Paul	Equipment Op/Supervisor/Any
Walter T. Whitehead	Borough Worker

COMMUNICATION:

1. 02.09.10 Redner's Markets – Camera donation
2. 02.22.10 NEPA – Free Conference on wind energy
3. 02.22.10 PPL – Overhead power lines and underground electric cables
4. 02.24.10 PSAB – Constitution Amendments
5. 02.25.10 Carbon, Monroe, Pike Drug – Tobacco use
6. 03.01.10 PSAB – Update
7. 03.02.10 H&K Group – Breakfast with PennDOT, Conservation District, other suppliers
8. **03.02.10 CC Dept of Solid Waste – Electronics Recycling**

Secretary-Treasurer Ahner stated how the Carbon County Department of Solid Waste will be holding an electronic recycling, which will be held in the CVS parking lot, on Monday, April 26th from 9 a.m. until 2:00 p.m. and Tuesday, April 27th from 12 noon until 6 p.m. She stated how they were not accepting TV's or computer monitor.

9. 03.02.10 CC Emergency Services – Workshop for Municipal Officials
10. 03.05.10 Keystone Collections Group – Act 32 – centralized tax collection by 2012
11. 03.05.10 Display Sales – Product information
12. 03.05.10 ProActive Operator Source – Class for water & wastewater utility operators
13. 03.08.10 Carl Faust – Fred Cross
14. 03.10.10 CC Groundwater Guardians – Brochure – Managing private water supply/septic system
15. 03.10.10 PSATS – CDL Records Management

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16. 03.10.10 PSATS – CDL Drug/Alcohol Testing Supervisory Training
17. 03.12.10 PSAB – Training Date
18. 03.12.10 Berkheimer – Need info on Act 32, call or e-mail
19. 03.15.10 Wayne Manufacturing Co – Commercial Christmas Decorations
20. 03.15.10 DCED – Capital Improvement Planning & Financing
21. 03.15.10 DEP – Exemption from sewage facilities planning (Solar Park)

22. 03.16.10 Ken Marx – Railroad Crossing

Secretary-Treasurer Ahner stated about the railroad crossing from Ken Marx. Anthony DeMarco stated how he was there to answer any questions. Councilman Hawk stated how the e-mail they now have was a little more specific. Mr. DeMarco stated how the Borough had tried for the crossing arm and have been denied. He stated how he had thought that the Panther Valley School Board might have more firepower to get it. Mr. DeMarco stated how they were asking the Borough to go in on half of the cost to do a study in September. He stated how there might be grant money to have it installed. He stated how he first wanted to get the study done. He stated how he was not going to stop until they get something there. Mr. DeMarco stated how they would really appreciate the Borough going halves with them.

Councilman DiMiceli stated that he felt how the Borough should not have anything to do with it. He stated how it should fall back on Carbon County because it was their railroad. He stated how they should not be spending any money on their crossing. Councilman DiMiceli stated how he agreed it was for the safety of the students but it should fall back on the County. He stated how they were making a profit by leasing it and it should fall back on the Carbon County Commissioners. Mr. DeMarco stated how he understood but he was not going to wait on the County to do something. He stated how he was going to have the School District to take the lead and he would like the Borough to join him for a possible solution. Councilman DiMiceli stated that he did not think that they had money to put into it.

Councilman DiMiceli stated that he was putting it in, in the form of a motion, that the Borough not get involved in any study or anything with that issue because it should fall back on the owner, who was the County. He stated how he would put that in, in the form of a motion and if it dies for the lack of a second, then it dies for the lack of a second. Councilwoman Fox asked Mr. DeMarco if he had talked to anyone at the County or at the Railroad. Mr. DeMarco stated how he had and they do know about it. He stated how Reading had seen his statement in the paper and have sent him letters about not putting the statements in the paper. Mr. DeMarco stated how, as neighboring property owners, Panther Valley School District, have a right to look at a study. He stated how he remembered that it was discussed at a Council Meeting. Mr. DeMarco stated how that was why he thought about asking Council to go halves with them. He stated that if not, it was fine. He stated how it was a Borough issue as well. Councilman Sniscak, Jr. stated how it was a Borough issue for Summit Hill, Lansford and Coaldale. He stated that they should all get together and go after the Commissioners with the School Board. He stated how they have tried to get them to do something with that crossing for years and they ignore them. Councilman DiMiceli stated how when they had checked into it, they were in excess of \$150,000 for the installation of the crossbars and they would be responsible to maintain it. Councilman Hawk stated how they were not talking about the actual work, just the \$6,500 study.

Councilman DiMiceli moved that the Nesquehoning Borough not get involved in paying for anything down at the railroad crossing because it was the County's responsibility. Motion dies for the lack of a second.

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Councilwoman Walck asked if they could table it until next month. Councilman Hawk stated how they tabled it last month so they could get more information. He stated how he thought that they owed them an answer. Mr. DeMarco stated how they would like to move on it. Councilman Hawk stated how he agreed with Councilman Sniscak, Jr. on how it was not just Nesquehoning's children that it was affecting. He stated how he also agreed with Councilman DiMiceli because the County had found money to put things in their own parking lot. He stated how they were the ones making money off the Railroad; the Borough does not make a penny off of it. Councilman Hawk stated how he did feel that it should fall on the people who were making money off of it; rather than taxpayers. Mr. DeMarco stated about sending a letter to the County asking them for something towards the study. Councilman Sniscak, Jr. stated about the letters of interest from Lansford, Summit Hill, Coaldale and Nesquehoning demanding that the County Commissioners take action on it. He stated about each Borough sending them a letter. Mr. DeMarco stated how the study was going to be done by the District. Councilman Sniscak, Jr. stated how the study was a waste of money because they know it has to be put in there. He stated how they were going to spend \$6,000 on something that the County had snow balled them on for the last 5 years. Councilman Sniscak, Jr. stated about going to the County and telling them how the taxpayers of the four towns want them to fix the problem.

Mr. McArdle asked if the Borough would go along with the School District for the study and when the study was concluded and it was determined that the arm was detrimental for that crossing, could the Borough and/or the School District be forced with or without any grant money to pay for it. Councilman Hawk stated how it was quite possible. Mr. McArdle stated how, if the study was approved and the PUC then sees how it needs to be done . . . Councilman Hawk stated how they could mandate that it be done and if a grant was not available, they might be on the short end of the stick. Councilman DiMiceli stated how that was why he made the motion that he made. He stated how there was a study done relative to a crossing guard on the New Columbus hill in an alleyway. He stated how they were stuck with that now. Councilman DiMiceli stated how if they were involved, they were going to be liable. Frank Jacobs stated how in 2003, they had a big meeting with the Railroad, PennDOT officials and the Commissioners. He stated about information for the safety of the children. Councilman Sniscak, Jr. stated how the Railroad paid to replace the tracks, pave and have new arms installed in Hazleton. He stated how the Borough had a crossing light.

Councilman DiMiceli moved and Councilman Sniscak, Jr. seconded to not participate at that time in the study but to encourage all of the Panther Valley School District's municipalities to send a letter to the Carbon County Commissioners expressing their concerns that they take the responsibility for the Railroad they were leasing. All voted yes. Motion passed.

William Hunsicker asked if the Borough was willing to go halves with a crossing guard to help alleviate the problem. Councilman Sniscak, Jr. stated how it would not stop the problem. Councilman Hawk stated that his opinion was that the crossing was a signaled crossing. He stated that he did not know how much better they could get than having red lights and a gong there. He stated how they were replaced within the last couple of years. Councilman DiMiceli asked Solicitor Yurchak that once they start assuming liability or responsibility because of a potential danger, if they failed to provide someone there and there would be an injury, would they be held liable. Solicitor stated how it was possible.

23. 03.16.10 US Census 2010 – How to get your fair share of federal funding for the next 10 years

24. 03.16.10 Brown & Brown – Benefits Plan

25. 03.16.10 Michael S. Greek – Zoning Hearing Board – Farole

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26. 03.16.10 Michael S. Greek – Zoning Hearing Board – Fritzinger
27. 03.16.10 PSAB – WEBINARS UPDATE
28. 03.16.10 Councilman Frank DiMiceli – Resignation from all current committees
29. 03.22.10 Benchmark Energy Solutions – Power & Energy Purchase Program
30. 03.22.10 Riley & Company – Year end audit

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

BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

Councilman Sniscak, Jr. moved and Councilman Zabroski 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

MARK STROMELO CHAIRMAN; MICHAEL SNISCAK, JR. CO-CHAIRMAN; DAVID HAWK

Councilman Sniscak, Jr. stated about the Craftco Machine for tarring. He stated that he was asked about renting the same machine or if there was a smaller machine to do the job for less money. Councilman Sniscak, Jr. stated how that was the smallest one they had. He stated how the Commonwealth and all surrounding states do and Nesquehoning has more roads than any other Borough in the State of PA. He stated how a smaller machine would not do it. Councilman Sniscak, Jr. stated to rent a machine; it would be \$4,500 a month; which it was a \$45,000 machine. He stated how it does not come out of the taxpayers' money. Councilman Sniscak, Jr. stated how it was allocated out of Liquid funds. He stated how 20% was allowed to purchase equipment to fix and repair roads. Councilman Sniscak, Jr. stated how they need it to repair the roads because the machine they now have was totally useless, does not use the right material and puts the workers in danger because it uses liquid propane with an open fire.

Councilman Sniscak, Jr. stated that if they use a machine on a regular basis and they rent it, they will lose money renting it. He stated how it was something they would be using for the next 20-25 years on a continual basis from March through April & May and once again when the temperature cools down in October-November until the first snowfall. Councilman Sniscak, Jr. stated how their streets were falling apart because they do not stop the cracks before they break the roadway up. He stated how it had been going on like that for 50 years. Councilman Sniscak, Jr. stated that the material it puts down and he had talked to someone at PennDOT, lasts on an average for 2-3 years with heavy traffic; which would probably last longer on their side roads. Councilman Sniscak, Jr. stated how it was a machine that they absolutely need. He stated how the money had been budgeted for it. Councilman Sniscak, Jr. stated that he believed they should purchase the machine to get their Roads Department some equipment to do a job because they do not have anything to do the job right. Councilman Hawk stated how if they were looking at it in terms of payment, he had mentioned five months of use, it would have paid for itself in two years. He stated how it would make sense to buy it at that point. Councilman Sniscak, Jr. stated how if they would rent it by the month for \$4,500, he looked on-line and it had rained 19 days in the month of May last year. He stated how they could not tar for 1-2 days after it rains depending how much it rained. He stated how they would have rented the machine for \$4,500 and used it for two days. He stated how they could not ask for their money back. He stated how they would expect to use it the entire month, eight hours a day.

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Councilwoman Fox stated how they were not going to use it five full months out of a year. Councilman Sniscak, Jr. stated how they could utilize the machine six months out of the year. Councilman Hawk asked if they were going to have the manpower and the time to do it. Councilman Sniscak, Jr. asked if they were going to have the manpower and the time to let their streets fall apart. He stated how they do have the manpower. Councilman Hawk stated how if they buy the machine and they do not use it, the streets will fall apart and they were out \$45,000. Councilman Sniscak, Jr. stated how they will have the manpower. He stated how they were working on the contract and they will be pulling the Sanitation workers over. He stated how that was three men and it took three men to operate the machine. Councilwoman Fox asked about the cost of the material for in the machine. Councilman Sniscak, Jr. stated how it was only a couple dollars more per block than the stuff they use.

Councilman DiMiceli stated how there were additional items that were needed that came close to \$5,000. Councilman Sniscak, Jr. stated how it would be closer to \$50,000 but it was all budgeted through the Road Tax and it would be no taxpayers' dollars. Councilwoman Fox asked Councilman Sniscak, Jr. if he had talked to the Borough workforce and asked them about other things that might be needed by the streets. Councilman Sniscak, Jr. stated how the trucks could go another 1-2-3 years. Councilwoman Fox stated how they have been broken down a lot that winter. Councilman Sniscak, Jr. stated how they buy a truck to plow the road, the roads fall apart and they cannot plow them anymore. He stated how they do need two brand new trucks, two small trucks, the tar machine and a roller. Councilman DiMiceli asked what the cost of the roller was that the Water Authority rented last year. Councilman Hawk stated that he did not remember. Councilman DiMiceli asked if it was around \$150.00 a day. Councilman Hawk stated how he honestly could not remember. Councilman DiMiceli stated how there were some things they could rent and not have to go out and buy. He stated that one of the concerns he had about the machine was, he had talked to someone from PennDOT, and they have one machine, which they share it between Carbon and Monroe Counties. Councilman Sniscak, Jr. stated how that machine was twice the size. He stated how that machine was for Boroughs. He stated how PennDOT did not run that type of machine. Councilman DiMiceli asked Councilman Sniscak, Jr. if he said before about the state using it. Councilman Sniscak, Jr. stated how they use the same machine only a big brother, twice the size. He stated how that machine was designed for Boroughs. Councilman DiMiceli stated how it was not the same machine. Mr. Stempa stated how it was a downsized version of the identical thing. Councilman Sniscak, Jr. stated how it was a midget not a giant.

Mr. Stempa stated how he can understand wanting to buy that kind of a machine but could they ask to loan it and use it for a week or a month to see what it was capable of. Councilman Zabroski asked if that was available to them. Councilman Sniscak, Jr. stated how he could call the gentleman. Councilman Zabroski stated about getting a demonstration. He stated about the purchase of the machine coming out of Liquid Fuels and asked if the product comes out of there also. Councilman Sniscak, Jr. stated how it comes out of Liquid Fuels. Councilman DiMiceli stated how it was a great idea about seeing the machine in use before they purchase it for \$45,000. Councilman Hawk stated how he would think that they would give a demonstration. Councilman Sniscak, Jr. stated how it would not be a problem.

Councilwoman Fox asked what was more feasible for the Borough, a roller or a tar machine. Councilman Sniscak, Jr. stated how he was an inspector for PennDOT. He stated how he went to school for two things, blacktop and drainage. He stated that if they do not stop the cracks in the blacktop and if they do not repair the drainage, the roads will just fall apart. Councilman Sniscak, Jr. stated how it was what they needed more.

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Councilwoman Fox stated how the roads were already falling apart. Councilman Sniscak, Jr. stated how they could rent a roller to do some patch work. Councilman Zabroski stated that even if they would patch some streets, if they did not seal it, the patch would rip up in no time. Councilman Sniscak, Jr. stated how that was the problem with the Water Authority and the sewer; they tear up the road but they do not have the equipment to seal it. Councilman Hawk stated about looking into seeing if the gentleman will give a demonstration.

Councilwoman Fox stated how she had a call requesting a change in parking sides on School Street between High Street and Railroad Street. She stated how it was because of vandalism and buses turning onto High Street. Councilman Hawk stated about how the parking was on the west side. Councilman Zabroski stated how they could refer it to the Street Committee to look into for next meeting.

- **03.09.10 Wendy Shubeck – Business Sign Application**

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to approve the business parking application from Wendy Shubeck for Tommy's. All voted yes. Motion passed.

2. SEWER

MICHAEL SNISCAK JR CHAIRMAN; FRANK DIMICELI CO-CHAIRMAN; CHAIRMAN; MARY FOX

Councilman Sniscak, Jr. stated how they have to shut down a unit, repair it and get it cleaned out. He stated about upgrading the unit when they fill it. He stated how the Engineer was down there. He stated how everything they were doing was required by DEP

3. BUILDINGS

MICHAEL SNISCAK, JR. CHAIRMAN; ROSE WALCK, CO-CHAIRMAN; FRANK DIMICELI

No report.

4. POLICE

DAVID HAWK CHAIRMAN; MARK STROMELO CO-CHAIRMAN; RICHARD ZABROSKI

Councilman Hawk stated how the committee did meet and they will be issuing a proposal on the contract.

Councilman Zabroski moved and Councilman Sniscak, Jr. moved to pay the grievance and to follow the current contract until the new contract was adopted. All voted yes. Motion passed.

Teddy Dacey stated about the police helping outlining the cemetery.

Councilman Zabroski moved and Councilwoman Walck seconded to allow the police to assist the VFW at the cemeteries on the Sunday before Memorial Day. All voted yes. Motion passed.

5. SANITATION

MARK STROMELO CHAIRMAN; DAVID HAWK, CO-CHAIRMAN; FRANK DIMICELI

Councilwoman Fox asked if there was ever going to be a time that the sewer/sanitation bills would be paid over the computer. Councilman Hawk stated how the system was capable of doing it but there was an expense involved with it. Secretary-Treasurer Ahner stated how people could access their own on-line banking and have a check automatically withdrawn through their own bank.

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6. RECREATION DAVID HAWK, CHAIRMAN; MARY FOX CO-CHAIRMAN; MARK STROMELO

Councilman Hawk stated how the Easter Egg Hunt would be held the Saturday before Easter which was April 8th at 1:00 p.m.

Councilwoman Fox stated how she had talked to Matt Dunn concerning the trees at the New Columbus Park. She stated how he recommended not cutting anything out of them because there was no danger of any dead limbs falling. Councilwoman Walck stated how they were looking for more of the filtered light in the park. She stated how there was not enough light in the Park. Mayor Walck stated how it was more when the trees were full. Councilman Sniscak, Jr. stated about killing the trees with the underground wiring. Mayor Walck stated how they were looking at overhead wiring or solar lighting. Secretary-Treasurer Ahner stated how she had talked to Andy Hamilton concerning a price for solar lights. She stated how she had also talked to a gentleman from Green Energy and that project would be too small.

7. BUDGET DAVID HAWK CHAIRMAN; ROSE WALCK CO-CHAIRMAN; MARK STROMELO

Councilman Hawk stated how they did have a Budget Committee meeting and they were waiting on the tax money.

8. PURCHASING ROSE WALCK CHAIRWOMAN; MARY FOX CO-CHAIRMAN; RICHARD ZABROSKI

- **Aluminum Flagpole Kit**

Councilwoman Walck stated how it would cost \$800 - \$1,000 to replace the flagpole. She stated how after it was looked at, they only need the top dome. She stated about getting prices to replace that.

- **Metro Technology Services – RMS Alert Care-Police Software**

Councilwoman Walck stated how the police computer crashed. She stated how they were looking into it for when they moved to the new station. Councilwoman Walck stated how they had an estimated price of \$8,708 but with other things it would be closer to \$9,000. Councilman Zabroski stated how 2/3 of it would come from the grant for the new police station, which was put aside for new computers.

- **Intuit QuickBooks - Upgrade**

Councilwoman Walck stated how the software goes back to QuickBooks 2007 and the payroll would not be available after May 31, 2010. She stated how they have to upgrade to QuickBooks 2010 at \$439.95.

Councilman Zabroski moved and Councilwoman Fox seconded to purchase both software kits for the police and for the office. All voted yes. Councilwoman Walck not voting on the police software. Motion passed

9. FIRE/AMBULANCE RICHARD ZABROSKI CHAIRMAN; DAVID HAWK, CO- PUBLIC SAFETY CHAIRMAN; ROSE WALCK

Councilman Zabroski stated how they have had their monthly meeting with the Fire Chiefs. He stated how it was brought to their attention about doing the flow test. He stated how they were going to have to purchase a new flow meter.

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Councilman Zabroski moved and Councilman Sniscak, Jr. seconded to purchase a new flow meter at a cost of \$1,600. All voted yes. Motion passed.

Councilman Zabroski stated how the aerial truck was due for repair and inspection. He stated how the fire company takes the burden of the labor and the Borough pays for oil or belts.

Councilman Zabroski stated about the home reports for the Communication Center. He stated how the information would be in the system.

- **03.22.10 Lake Hauto Club – Back flush dry hydrants**

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to allow the Fire Company to back flush the dry hydrants up at Lake Hauto. All voted yes. Motion passed.

- Fire Department Summary Report for February
- Nesquehoning Ambulance Corp Summary Report for February

Councilman Zabroski read the reports for February:

- 5 automatic fire alarms
- 3 motor vehicle accidents
- 1 EMS
- 1 fire police.

Councilman Zabroski stated how the ambulance response for February was 50 calls and 852 miles for a total of 93 EMS calls and 1,644 miles traveled for the year. He stated how there were 9 EMS calls handled by KME employees during work for a total of 19 for the year.

Councilman Hawk stated how they had information concerning the radios and how it was going to be effective January 1, 2013. He stated how they were going to have to be 100% ready to go by that time. He stated how over the next 2 ½ years there was going to be a lot done with upgrading. Councilman Zabroski stated how it was an FCC mandate that by January 1, 2013 all radios and pagers were going to a narrow band rather than a broad band. He stated how nothing in the Borough would be compliant at that time. He stated how it will apply to all police, ambulance and fire companies.

10. LIGHTING/ELECTRICAL FRANK DiMICELI CHAIRMAN; MARY FOX, CO-CHAIRMAN; ROSE WALCK

No report.

JR. RECREATION COMMISSION

Mayor Walck stated how they were working on an Easter ham raffle. He stated how the money was going to be donated to the Cancer Telethon. He stated how the drawing will be March 31st at the Recreation Center.

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to accept all the Committee reports. All voted yes. Motion passed.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, March 24, 2010 at 7:00p.m., Borough Office

NEW BUSINESS

Councilwoman Fox stated how she had talked to Secretary-Treasurer Ahner about a new grant book she had received. She stated how it was brought to her attention that they were working with other municipalities. They could get more grant money. Secretary-Treasurer Ahner stated that she was referring to COG (Council of Governments). Councilwoman Fox asked if anyone had looked into that when they were forming. Councilwoman Walck stated how she went along with Frank Jacobs and Sal Digiglio. She stated how the Council was not interested at that time. She stated how it was decided by the majority of Council not to participate. Councilwoman Fox stated how she had not talked to anyone because she wanted to bring it by Council first. Councilman Zabroski asked if it was a new thing. Councilwoman Walck stated how it had been ongoing. She stated how she thought it was 3-4 years ago that they attended several meetings. Councilwoman Fox stated how she thought it was a good opportunity for purchasing power and applying for grants. She stated how it might be worth looking into.

OLD BUSINESS

No old business.

ADJOURNMENT

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:50 p.m.

RoniSue Ahner

RoniSue Ahner
Secretary-Treasurer