

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office  
114 W. Catawissa Street, Nesquehoning, PA 18240

### **ROLL CALL: COUNCILMEN HAWK, SNISCAK JR., ZABROSKI; COUNCILWOMEN FOX; PRESIDENT STROMELO; & SOLICITOR YURCHAK**

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

Councilman DiMiceli and Chief Smith were absent due to illness.

Councilwoman Walck and Mayor Walck were absent.

### **MINUTES: Approve the minutes from the Regular Meetings held on August 25, 2010, September 22, 2010 and the minutes from the Special Meeting held on November 4, 2010.**

Councilwoman Fox moved and Councilman Zabroski seconded to approve the minutes from the Regular Meetings held on August 25, 2010 and September 22, 2010 and the minutes from the Special Meeting held on November 4, 2010. All voted yes. Motion passed.

### **HEARING OF VISITORS**

Ted Dacey – 239 W. Columbus Avenue – stated that on Allen Street between Mill Street and Coal Street and how it was the property on the South side of the railroad tracks, which would be behind the Lions building, has trees that were getting pretty high. He stated how it was hard to see if there was a train coming. He stated that he did not know if the County owned it or the Railroad. President Stromelo stated how he thought that it was the Railroad. Mr. Dacey stated about getting them to trim the trees. President Stromelo stated how they will send a letter to the Commissioners and the Railroad.

Tom Merman – 512 E. Center Street – asked how they were doing with the metering of the water for the wells.

Frank Kattner – 188 Yard Street – asked about which streets were going to be paved the following year. President Stromelo stated how there were 10 – 12 streets that were going to be done but he did not have a list with him. Councilman Sniscak, Jr. stated about the New Columbus hill from the stop light down. He stated how Mill Street was really bad and there was a lot of traffic on that street because of the School. Councilman Sniscak, Jr. stated how he has noticed how bad some streets were in New Columbus and in Hauto. He stated how they will take the worst streets until the money runs out. Mr. Kattner asked if the Railroad or the County had been contacted about improving the railroad crossings before the paving was done. President Stromelo stated how they have not yet been contacted. He stated how the engineer would be contacting them.

President Stromelo stated that what was on the agenda was the reconstruction of Angelini Avenue from the bridge to Diaz Avenue; Willow Lane from Mermon Avenue to the west end; Allen Street from Mill Street to Willow Lane; Mill Street from Allen Street to Mermon Avenue; Mill Street from Almond Street to Hazard Street; Ratcliff Street from Catawissa Street to Mill Street; School Street from Mill Street North; Mill Street from School Street east to the portion paved by Kovatch; Cedar Street. He stated how the re-servicing projects, just overlays, would include Mermon Avenue from Catawissa Street to the bridge, reconstruction at Rhume Street and Willow Lane; Center Street from School Street east to Route 209. President Stromelo stated how there will be a lot of improvements coming up within the next year or two.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Councilman Sniscak, Jr. stated how they were going to utilize all the millings off of the streets for Mussmano Avenue and some of the alleys. Mr. Kattner asked if there was a time frame. President Stromelo stated how it would probably be a five year plan but they will be starting in the Spring. He stated how there was a lot of curbing that was going to have to be installed and those people will be getting a letter through the winter. Mr. Kattner asked if they were going to be doing overlaying or reconstruction. President Stromelo stated how there was a lot of reconstruction and quite a bit of overlaying. He stated how it would probably be an ongoing problem for about 10 years to get all of the streets back into shape.

Carol Zickler – 2 E. Center Street – asked when they would be doing W. Diaz Avenue. President Stromelo stated how that would be bid as a package and it will be done sometime from the Spring to the Fall.

### **POLICE REPORT**

(A copy of the police report was placed in the Communications File.)

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

(Chief Smith's Code Report was placed in the Communications File.)

Councilman Zabroski moved and Councilman Sniscak, Jr. seconded to accept the Police Report and the Housing & Code Enforcement Reports from the Chief and the Code Enforcement Official. All voted yes. Motion passed.

### **SUPERINTENDENT'S REPORT**

Louis Paul gave his report for October 28 through November 17, 2010 as follows:

#### **Inlets installed – 273 hours**

He stated how 10 inlets were completed and how the average contractor's price was around \$2,300.00 to \$2,400.00 per box. He stated how they had a savings of \$1,200.00 per box with a total savings of \$12,000.00.

#### **Equipment Maintenance – 265 hours**

He stated how they were getting things ready for the winter; for example – they found out how the 4<sup>th</sup> man who was hired for the garbage truck was a pretty good mechanic. Mr. Paul gave a run down on how it would have cost them \$2,000.00 to repair the radiator on the street sweeper and they got it repaired for \$253.00. He stated how Mr. Wertman did the tearing out and putting in with a little help from another Borough employee, so they saved \$1,600.00 on that. He stated how the compared price was \$70.00 per hour compared to the \$10.00 per hour they were paying him. Mr. Paul stated how Mr. Wertman also worked on the international, the ford and the green truck. He stated how the oil was changed in all three, the filters were changed, greased and with the international, they were having problems with losing power which Mr. Wertman had found out that the turbo boot was collapsing and fixed it. Mr. Paul stated how they saved pretty much money with Mr. Wertman and he will usually schedule him to work on Thursdays and Fridays of bulk week.

#### **Line Painting – 170 hours**

Building Maintenance/Main Office – 116 hours

Equipment Cleaning – 107 hours

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Building Maintenance/Police – 103 hours

Black Top – 98 hours

Concrete – 44 hours

He stated how they poured a slab up at the Borough Garage, which was 5.5 yards. He stated how the total savings was, the concrete price was \$550.00 and contractor price was \$1,650.00, they saved tax payers \$1,100.00. Mr. Paul stated how between the installation of inlets, equipment maintenance and the concrete job, they have an estimated savings of \$14,700.00.

Leaves – 36 hours

Snow Prep – 29 hours

Recycle – 24 hours

Building Maintenance/Rec. Center – 16 hours

Flags – 12 hours

Handicap/Fire Department Painting – 8 hours

Signs – 8 hours

Running to:

Lowes – 6 hours

Forest Inn Masonry – 2 hours

John Deere – 2 hours

J.C. Small Engine – 1 hour

Mr. Paul stated that he wanted to thank the Borough Council for the cement mixer and like he had said the cost savings were \$1,200.00 per box. He stated that the purchase was well worth it because they have saved a bunch of money with it. Mr. Paul stated how they had some up coming projects: starting to revamp the sealing buggy then they were going to seal all of the Water Authority patches; cost efficient lighting at the Borough Garage; purchasing request for a battery charger and a stomper; additional inlets on Center Street; repair pipe job on Coal Street; and the possibility of tarring and chipping the alleys. He stated about purchasing a roller and how they could have done a better job with the patches that were put in on Diaz Avenue, which were temporary.

### **PLANNING COMMISSION REPORT**

- **St. Francis of Assisi Church – subdivision**
- **Planning Commission Minutes from meeting held on November 10, 2010**

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to accept the reverse subdivision plans for St. Francis of Assisi Church. All voted yes. Motion passed.

### **CIVIL SERVICE COMMISSION**

No report.

### **PANTHER CREEK ADVISORY REPORT**

No report.

## MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

### ENGINEER'S REPORT

- 10.29.10 Carbon Engineering – PA Solar Park Land Dev. – Preliminary/Final Plan
- 11.09.10 Carbon Engineering – PA Solar Park Land Dev. – Preliminary/Final Plan
- Carbon Engineering – Rehabilitation Letter
- **Sewer Bids - Rehabilitation of Treatment Unit #3**

Councilman Sniscak, Jr. asked if they could hold off until next meeting because it was \$226,000.00 and they have three units to do. He stated how it was going to cost almost \$700,000.00. He stated how they only have \$325,000.00 in reserves. Councilman Sniscak, Jr. stated how he was originally working with the Sewer Plant Operator and they could have probably done it for \$126,000.00 less but there were some individuals on Council who moaned about a \$1,200.00 difference on a pipe fitting machine.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to table the bids until the next meeting. All voted yes. Motion passed.

### SOLICITOR'S REPORT

- **Keystone Publishers letter to Robert T. Yurchak – Additions/Corrections to Draft**

Solicitor Yurchak stated how he has received a letter from Keystone Publishers and they were working on the final draft, incorporating Gene Kennedy's last suggestions and they expected to have it to the Borough shortly.

- **Memorandum of Understanding – Borough Utility Worker**

Solicitor Yurchak stated how he had received a couple of changes from the Teamsters and he has made those changes and has to fax it back to them for their approval.

- **Kovatch Enterprises – Private Roadway – “Fourth Hollow Road”**

Solicitor Yurchak stated how they had received a letter from Attorney Steve Cormier indicating how they were going to name the private roadway the Fourth Hollow Road. He stated how the Borough will need to approve it. He stated how he had instructed Attorney Cormier to get with John McArdle for the number for the building. John McArdle stated how he had an original email concerning the address from a Michael Tomarelli, Green Energy Partners, which indicated 575 feet from the roadway and Attorney Cormier's email indicated 560 feet. He stated how if it was the 575 feet it would be 109 and if it was the 560 feet it would be 107. Attorney Cormier stated how they should go with the 575 feet.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to accept the name of the private roadway as Fourth Hollow Road and to accept the address for the Solar Facility as 109 Fourth Hollow Road. All voted yes. Motion passed.

- **Councilman DiMiceli – Requesting Council to consider an Ordinance on no drilling for natural gas within the Borough**

Solicitor Yurchak stated how he has started looking into getting some information on the prohibiting of drilling for natural gas within the Borough. He stated how there has been an avalanche of action on it across the state. He stated how he would like to have some time to draft some things up. Solicitor Yurchak stated how Councilman DiMiceli was concerned with the time but because they were in the DRBC (Delaware River Basin Commission) and they have wells in the area, the DRBC would control any permits at that time.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

- **Development Agreement**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to adopt the Development Agreement for the Solar Park. All voted yes. Motion passed.

- **Communications Policy**

Councilman Hawk moved and Councilwoman Fox seconded to adopt the Communications Policy. All voted yes. Motion passed.

- **Camera Policy**

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to adopt the Camera Policy. All voted yes. Motion passed.

- **Taser Policy**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to adopt the Taser Policy. All voted yes. Motion passed.

- **Adopt the Snow Ordinance**

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to adopt the Snow Park Ordinance. All voted yes. Motion passed.

- **Act 44 Disclosure Forms**

Solicitor Yurchak stated how under Act 44 of 2009 the legislation now required that anyone who was doing any servicing related pension plans for the municipal body be it for uniform or non-uniform pensions, they have to file an annual disclosure form to indicate if they have given donations to municipal candidates, solicited donations whether they were lobbyist and things like that. He stated how he had given Secretary/Treasurer Ahner a blank form to use for the future, Conrad Siegel had already given her their disclosure form and he had given her his disclosure form that night.

- **10.27.10 Velitsky & Matika – Hugh Lawrence – 127 W. Catawissa Street**

Solicitor Yurchak stated how he had contacted Attorney Matika and asked him to get in touch with his client and get back to him in regards to setting up a meeting on one of two dates.

- **Review Shade Tree Ordinance**

Solicitor Yurchak stated how he had a draft of an ordinance that he was passing out that night.

- **Smoke Alarm Ordinance**

Solicitor Yurchak stated that with the Smoke Alarm Ordinance, Mr. McArdle had given him a couple of suggestions for some changes and he will have that next month.

President Stromelo asked Solicitor Yurchak about a Property Maintenance Ordinance. Solicitor Yurchak stated how he would check into it.

Councilman Hawk moved and Councilwoman Fox seconded to accept all reports to that point (Superintendent's – Solicitor's Reports). All voted yes. Motion passed.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

**JIM THORPE NATIONAL BANK TREASURER'S REPORT**

**GENERAL FUND**

Balance 09.30.10	160,907.56
Receipts	97,394.61
Expenditures	89,556.77
Balance 10.31.10	168,745.40

**GENERAL SEWER CONSTRUCTION FUND**

Balance 09.30.10	10,307.67
Receipts	4.17
Expenditures	.00
Balance 10.31.10	10,311.84

**SPORTS COMPLEX FUND**

Balance 09.30.10	5,043.58
Receipts	160.49
Expenditures	.00
Balance 10.31.10	5,204.07

**SANITATION ESCROW**

Balance 09.30.10	130,291.21
Receipts	2,939.59
Expenditures	.00
Balance 10.31.10	133,230.80

**DEBT SERVICE**

Balance 09.30.10	1,932.40
Receipts	.78
Expenditures	.00
Balance 10.31.10	1,933.18

**FIRE TRUCK FUND**

Balance 09.30.10	121,654.90
Receipts	1,173.51
Expenditures	5,019.26
Balance 10.31.10	117,809.15

**CAPITAL PROJECT**

Balance 09.30.10	52,674.29
Receipts	91.66
Expenditures	.00
Balance 10.31.10	52,765.95

**SANITATION FUND**

Balance 09.30.10	116,465.18
Receipts	87,366.36
Sewer	34,076.40
Expenditures	53,742.77
Balance 10.31.10	116,012.37

**HIGHWAY FUND**

Balance 09.30.10	135,582.81
Receipts	54.79
Expenditures	.00
Balance 10.31.10	135,637.60

**PLANNING FUND**

Balance 09.30.10	9,553.90
Receipts	2.84
Expenditures	.00
Balance 10.31.10	9,556.74

**GENERAL SEWER FUND**

Balance 09.30.10	70,338.17
Receipts	34,197.52
Expenditures	28,407.18
Balance 10.31.10	76,128.51

**SEWER OPERATING & MAINTENANCE**

Balance 09.30.10	25,138.63
Receipts	42,345.17
Expenditures	20,160.49
Balance 10.31.10	47,323.31

**POLICE PENSION FUND**

Balance 09.30.10	524,363.89
Receipts	1,449.46
Expenditures	8,326.41
Acct Appreciation	13,044.27
Balance 10.31.10	530,531.21

**ACQUISITION & RENOVATION**

Balance 09.30.10	2,096.86
Receipts	1,593.14
Expenditure	3,690.00
Balance 10.31.10	.00

# AGENDA FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

## CD REPORT

<u>FUND</u>	<u>CURRENT VALUE 10.30.10</u>	<u>INTEREST 1030.10</u>	<u>OPENING DATE</u>	<u>CURRENT RATE</u>	<u>RENEWAL DATE</u>	<u>BANK</u>
PLANNING	\$ 15,513.15	\$ 32.87	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 365,430.81	\$ 774.27	08-20-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 13,721.24	\$ 29.07	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 106,475.21	\$ 122.38	06-04-10	1.40%	06-04-13	JTNB
DEBT SERVICE	\$ 18,493.57	\$ 33.55	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 20,472.25	\$ 37.14	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 10,034.35	\$ 18.20	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,803.73	\$ 17.79	06-22-09	2.14%	06-22-11	JTNB

Councilman Hawk moved and Councilman Zabroski seconded to accept the Treasurer's Report and the CD Report.

Councilwoman Fox asked about the Sewer CD that was cashed in for \$77,992.00 and how part of it showed up in the General Sewer Fund the \$27,992.00 but she could not figure out what fund the rest showed up in. Secretary/Treasurer Ahner stated how she had to do an automatic transfer within the account. She stated how it will not show up as a deposit because it was just transferred in and not considered a deposit. Secretary/Treasurer Ahner stated how the \$50,000.00 stayed in the General Sewer Fund and the \$27,992.00 was transferred into the SOM Fund. She stated how she might see the full amount in the fund and then just the \$27,992.00 transferred out. She stated how she had to do a transfer out of the CD to close it out in QuickBooks.

All voted yes. Motion passed.

## EMERGENCY MANAGEMENT REPORT

No report.

## MAYOR'S REPORT

- **Chief Sean Smith – DARE Plaque's for Business Sponsors**

Councilman Zabroski moved and Councilman Sniscak, Jr. seconded to approve the purchase of plaques for the business sponsors (Panther Creek Partners, Kovatch Corporation, Attorney Michael Greek, the Nesquehoning Lions Club, and Mayor Tony Walck) for the DARE program. All voted yes. Motion passed.

- **Chief Smith – Request for new winter coat**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to approve the request of Chief Smith to purchase a new winter coat. All voted yes. Motion passed.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

President Stromelo stated how they received a request from Alexis Simchak, who was a student at Penn State University; she was looking to do a benefit for the THON organization, which was a fund through the University to raise major amounts of money for kids with cancer. He stated how it also funds the medical team at Hershey Medical Center for grants for pediatric cancer research. He stated how they were looking for permission to do a collection at the stop light, Mermon Ave and Catawissa Street, on Saturday, December 4, 2010.

Councilman Zabroski moved Councilwoman Fox seconded to allow the THON Organization to do a collection on December 4, 2010.

Councilwoman Fox asked about the liability. Solicitor Yurchak stated how there was none. Mr. Dacey stated about them wearing the vest. President Stromelo stated how they will have to wear them or something florescent.

All voted yes. Motion passed.

### **TAX COLLECTOR'S REPORT**

01 October 2010 – 31 October 2010

Real Estate	\$4,139.58
Occupation	172.50
Per Capita	<u>106.40</u>
TOTAL	\$4,418.48

**EXONERATION:**                      Ann Lutz                      Bankruptcy

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to accept the Emergency Management, Mayor's, & Tax Collector's Reports with the one exemption. All voted yes. Motion passed.

### **COMMUNICATIONS:**

1. 10.28.10 Tri County Petroleum – Lube Contract – COSTARS member
2. 11.01.10 PSAB – Update
3. 11.01.10 DCED – Police Vehicle Grant
4. 11.02.10 Steve Shannon – Price list
5. **11.02.10 Ed Pienkosz – Corrections to minutes**

President Stromelo stated how Mr. Pienkosz wanted his letter read at the meeting and proceeded to read the letter:

Councilman, I would like to thank you for your time after the meeting on October 27<sup>th</sup>, which was postponed. I came to the council meeting to talk about the July minutes specifically and the council minutes in general. I spoke to you and the council secretary, concerning the errors in the financial section, and you agreed to make the needed adjustments. I also asked that you would introduce this letter to council and make it part of the minutes, to which you also agreed.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

As to the minutes in general, I would like the council to agree to a resolution to have the minutes published in a more timely manner, perhaps about a week before the next council meeting. This would provide the residents of Nesquehoning a chance to read these minutes before the next meeting. It also provides a way for the people that attended the meeting, as well as members of council, to provide feedback and corrections, so that the meeting produced for approval will be free of errors especially the financial portion. Each council member was elected by the people of this borough to work for them. This entails the members to keep an eye on the budget by making sure all sections are correct. This includes watching how the money is spent as well as how receipts are received all within the laws of the state of Pennsylvania. I sincerely hope that this letter is taken as way to help the council and not in any other way. Sincerely, Ed Pienkosz.

Councilman Sniscak, Jr. stated how he did not think that they had the secretarial power to put them out that fast. Solicitor Yurchak stated how it did not matter because it cannot be posted until the Council approves them. Secretary/Treasurer Ahner stated how in the July minutes there was a line in the Treasurer's section that was inadvertently deleted. She stated how there was always an expense line and a revenue line for every account.

6. 11.03.10 CC Office of Planning & Development – CDBG Grant Program
7. 11.03.10 Reading & Northern Railroad – Reminder to Maintenance Crews & Rail Customers
8. 11.04.10 NEPA – Membership request
9. 11.05.10 CC Emergency Services – Snow Removal Call-outs
10. 11.10.10 PSAB – Training Update – CDL Supervisory
11. 11.15.10 NEPA – Invitation – LED Lighting Symposium
12. 11.16.10 CC Conservation District – Yevcak Project Adequacy Review

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to approve all communications and place them on file. All voted yes. Motion passed.

# AGENDA FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

## BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to deposit all receipts, approve all bills to be ratified and to pay all other bills.

Mr. Jacobs asked about the \$4,000.00 out of the Fire Truck Fund as the annual contributions. He asked if the Borough had increased the annual amount to the Fire Companies. Secretary/Treasurer Ahner stated how that was the yearly payment they receive for the reimbursement for the Fire Truck.

All voted yes. Motion passed.

## COMMITTEE REPORTS

### 1. STREETS

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

- **Cadi Wernett, 145 E. Garibaldi Avenue – Request for a Curb Cut**

Councilman Sniscak, Jr. stated how he did not have time to look at it. President Stromelo stated how they will have to know if they will be pulling in along side the house if there was enough room. He stated how he had looked at it and there was not much room between the two buildings.

Councilman Sniscak, Jr. stated about Jennifer Moretti on 251 E. Catawissa Street. He stated how he had called down to Harrisburg and they did change the regulations. He stated how they would eat up 60 feet to do a curb cut on a state highway. Councilman Sniscak, Jr. stated how he would suggest that they no longer issue curb cuts on Catawissa Street, a state highway.

- **Road Material Bids**

Lehigh Asphalt,		
#57 (2B Stone)	FOB Plant \$10.00 per ton	Delivered \$16.25
2A (Modified)	FOB Plant \$9.00 per ton	Delivered \$15.25
#3 Stone	FOB Plant \$10.00 per ton	Delivered \$16.25
Base Course	FOB Plant \$55.30 per ton	Delivered \$63.07
Wearing Course	FOB Plant \$65.80 per ton	Delivered \$80.80
Type A Sand	FOB Plant \$15.00 per ton	Delivered \$21.50
Wait time	\$75/Hour	
*Minimum Delivery - 20 tons		
*FOB - Andreas		
*Mileage from Andreas - 15.6		

Eckley Asphalt		
#57 (2B Stone)	No Bid	
2A (Modified)	No Bid	
#3 Stone	No Bid	
Base Course	FOB Plant \$50.00 per ton	Delivered \$57.65
Wearing Course	FOB Plant \$60.00 per ton	Delivered \$67.65
Type A Sand	No Bid	
Wait time	\$80/Hour	
*Eckley Asphalt, Division of Reading Materials, Inc.		
*Plant is located 16.5 miles from the Nesquehoning Borough Garage		

# AGENDA FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

## Hazleton Material

#57 (2B Stone)	FOB Plant \$7.45 per ton	Delivered \$12.69
2A (Modified)	FOB Plant \$6.00 per ton	Delivered \$11.20
#3 Stone	FOB Plant \$7.25 per ton	Delivered \$12.49
Base Course	No Bid	
Wearing Course	No Bid	
Type A Sand	No Bid	
Wait time	No Bid	

\*Plant is located 16.5 miles from the Nesquehoning Borough Garage

## Eastern Industries, Inc.

#57 (2B Stone)	Ormrod quarry	FOB Plant \$8.00 per ton	Delivered \$14.60
2A (Modified)	Whitehall quarry	FOB Plant \$6.60 per ton	Delivered \$13.20
#3 Stone	Ormrod quarry	FOB Plant \$7.00 per ton	Delivered \$13.60
Base Course		No Bid	
Wearing Course		No Bid	
Type A Sand		No Bid	
Wait time			

\*Mileage from quarry to garage from Ormrod is 28.12 miles

\*Mileage from quarry to garage from Whitehall is 28.20

\*There is a 22-ton minimum delivery charge

## Hason Aggregates

#57 (2B Stone)	FOB Plant \$9.75 per ton	Delivered \$18.25
2A (Modified)	FOB Plant \$6.75 per ton	Delivered \$15.25
#3 Stone	FOB Plant \$8.75 per ton	Delivered \$17.25
Base Course	FOB Plant \$49.95 per ton	
Wearing Course	FOB Plant \$59.95 per ton	
Type A Sand	No Bid	
Wait time	\$75/Hour	

\*PennDot Specifications Pub. 408

\*Materials to be delivered in 18 - 24 ton loads

\*This price will remain firm providing there are no unforeseen detours or posted roads or bridges

\*Material to come from our quarry at: Stroudsburg, Cherry Valley, Bossardville, Stroudsburg, PA

Mileage one way from quarry to Nesquehoning garage is 38 miles

\*HMA pricing based on PennDOT Asphalt Index November 2010 (\$471.00).

Escalation will be billed at the time of purchase

\*Haul rate will be billed at \$80.00 per hour from Portal to portal.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to award the road construction materials as follows: Base Course and Wearing Course to Eckley Asphalt; 2B Stone and 2A Modified to Hazleton Material; #3 Stone to Eastern Industries, Inc.; and Type A Sand to Lehigh Asphalt. All voted yes. Motion passed.

- **Anti-skid**

Secretary/Treasurer Ahner stated how they received three quotes, Lehigh Asphalt material \$9.25 and delivery \$6.00 for a total of \$15.25; Eastern Industries material \$9.80 and delivery \$6.90 for a total of \$16.70; and Slusser Brothers material \$10.75 and delivery \$5.67 for a total of \$16.42.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to accept the quote for anti-skid from Lehigh Asphalt. All voted yes. Motion passed.

### **2. SEWER**

**MICHAEL SNISCAK JR CHAIRMAN; FRANK DiMICELI CO-CHAIRMAN; CHAIRMAN; MARY FOX**

Councilwoman Fox stated how she would like the committee to get together and look at a camera system for down at the Sewer plant. She stated how they were looking to change out the one at the Borough garage and place that one at the plant but there were only four cameras and she thought that there should be more than four cameras. Councilwoman Fox stated how she looked at the catalog and was not sure as to which system they should purchase. She stated about getting a company in like ADT to give them a quote. Councilman Sniscak, Jr. stated about waiting until ADT was done with the work at the Borough and the Police Station. Councilman Hawk stated about having ADT to come in and give them a quote. President Stromelo stated how they were talking about upgrading the security at the Borough buildings.

### **3. BUILDINGS**

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

Councilman Sniscak, Jr. stated about the awning for the Police Station. President Stromelo stated how the smaller one was for the front just to cover the doorway and the larger one was for over the back door and the concrete slab.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to purchase the awnings from Zola Awnings in Hazleton for the Police Station. All voted yes. Motion passed.

### **4. POLICE**

#### **PUBLIC SAFETY**

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

- KME – Quote – New Police Car (pending grant approval)

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to accept the quote pending the approval of the grant. All voted yes. Motion passed.

- Dane S. O'Brien – Ride Along Program

Councilman Hawk moved and Councilwoman Fox seconded to grant the request of Dane O'Brien to ride along with the police. All voted yes. Motion passed.

President Stromelo stated how they have to get with Chief Smith concerning his contract.

Councilwoman Fox asked if they were still hiring part-time officers. President Stromelo stated "yes". Councilwoman Fox stated how she thought that Mayor Walck had another applicant. Councilman Zabroski stated how he thought that he had given it to the chief to start the process on.

Councilman Sniscak, Jr. stated how he had something that was brought to his attention. He stated how Mayor Walck sent the Chief a memo that he would be doing the scheduling from now on and setting up training. He stated that if he remembered correctly, council voted to accept the blue book and the Chief of police was to do all scheduling. Councilman Sniscak, Jr. stated how he felt that a letter should be sent to the Chief of Police and his officers to instruct them that the chief will be the man to do all scheduling and training as council agreed on.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Councilman Sniscak, Jr. stated how they paid \$3,000.00 for the blue book done by a captain of administration of the State Police and in that blue book, he made it quite clear that the mayor had interfered with the police department, he has damaged moral, and has undercut the police chief's authority. Councilman Sniscak, Jr. stated how he felt that it was time that it stopped. He asked if anyone on Council had a problem with it. Councilwoman Fox stated how she did not know . . . Councilman Sniscak, Jr. stated how she was not there. He stated how there was a blue book that was sent out that Council voted on just before he had gotten on, to evaluate the running of the police station and how the chief was running it. Councilwoman Fox stated that the Council initiated it. President Stromelo stated how it was just a recommendation as to how things should be done. Councilman Sniscak, Jr. stated how they voted to accept those recommendations and they also voted that the chief would do all scheduling. Solicitor Yurchak stated how they should meet with the mayor and talk about it. Councilman Sniscak, Jr. asked what there was to talk about. He stated how Council passed it that the chief does the scheduling. He stated how there was nothing to talk about. Councilman Hawk stated how he had remembered several meetings with council, the chief and the mayor and the decision was that the chief was supposed to be doing the scheduling. Councilwoman Fox stated how she felt that the mayor was not there to defend himself. Councilman Sniscak, Jr. stated how the mayor did not get it.

President Stromelo and Councilman Zabroski stated how they should have a committee meeting with the chief and the mayor. Councilwoman Fox stated how she did not feel that they should take any action on it because neither one were there. Councilman Zabroski stated how they were not taking any action. Councilman Sniscak, Jr. stated how he was not asking for action to be taken. He stated how he was just stating as to what Council voted on. He stated how they already voted on it and for two years the chief has run the schedule and he has run it fantastically. He stated how the overtime has been very low. Councilman Sniscak, Jr. stated that one year he was only \$1,000.00 off and the second year he was on the button. He stated how everything was being run how Council said that it should be. Councilman Sniscak, Jr. stated how it was not a vote on anything. President Stromelo stated how they would set up a meeting with the mayor and the chief and get it all settled. Councilman Sniscak, Jr. stated how he hoped that it would get settled immediately because it had been going on now. Councilman Zabroski asked Councilman Sniscak, Jr. if he knew how long. Councilman Sniscak, Jr. stated how it has been over a month. He stated how prior to that he was changing.

Councilman Sniscak, Jr. stated how here was what happened. He stated how the mayor had put on an officer who was not ready to be put on and was told by the chief. He stated how he put him on night shift and there was a bad accident on Route 54. He stated how the officer was smart; he followed the SOP. Councilman Sniscak, Jr. stated that the officer called the chief because he knew that he could not handle it. He stated how now they were paying one officer, the chief overtime, which was three officers to do the job of one; when the mayor was told by the chief that the guy was not ready. Councilman Sniscak, Jr. stated how it has been an ongoing thing before he got on and it stopped after that. He stated how it was starting again. President Stromelo stated how they will have a meeting with them. He stated how they did have a meeting with the chief a couple of weeks ago. Councilwoman Fox asked what he had to say at the meeting and if had mentioned that at all. President Stromelo stated how the chief had some of his issues. He stated how they will discuss that in a meeting with the two of them.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

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

President Stromelo stated how the sanitation fees will stay the same for 2011 and they will still offer the same discount if it was paid in full by the end of January and it was still a six bag limit. He stated how they will not be taking building materials. He stated how they will be recycling trees, less the tinsel. Secretary/Treasurer Ahner stated how the Christmas trees will be picked up every Friday in January. Mr. McArdle asked how much they were saving. President Stromelo stated how it was enough to stay running. He stated how he had just heard on the news that Summit Hill was in for a rude awaking come next year. Mr. McArdle stated how the taxpayers of Nesquehoning should know what they were saving and how much the investment was paying off. President Stromelo stated how they will get there. Mr. McArdle stated how all the other towns the prices were going up and they were getting less and less service. He stated how Nesquehoning has been able to maintain an even keel, buy equipment and operate under their own budget in Sanitation and not going to outsourcing it. President Stromelo stated how things were running well. He stated how they will get the figures together by the end of the year.

President Stromelo stated how the new vehicle was still being built and would probably be coming in late December early January.

Councilman Sniscak, Jr. asked if picking up the bottles was mandatory for them. President Stromelo stated how they were recycling to save on weight. Councilman Sniscak, Jr. stated how they have two men. Secretary/Treasurer Ahner stated how they have to pay them no matter what. Councilman Sniscak, Jr. stated how they have two men three hours a week, which was 6 hours a week times 52 weeks, which comes to 312 man hours. He stated how each man gets paid \$14.00 per hour, times 6 equals \$84.00 times 52 weeks. He stated that it was costing them \$4,368.00 to pick up the bottles. Councilman Sniscak, Jr. stated how a case of beer weighs 5 pounds 1 ounce. He stated how they pick up an average of 130 cases of beer a week. He stated how a 150 pounds times 52 weeks was 7,800 pounds, which comes out to 3.5 tons at \$57.00 per ton. He stated how it would cost them \$189.00 a week for the year because the truck runs up there empty to start with.

Councilman Sniscak, Jr. stated how he looked at the fact that they were utilizing two men. He stated that if they would subtract the amount of what it was costing them, they were paying \$3,055.00 to pick up the bottles of beer. President Stromelo stated how he did not think that his figures were correct and he would check them for next meeting. He asked how many hours they were spending to pick up the bottles. Councilman Sniscak, Jr. stated that they spend an average of three hours and they pick up 130 cases of beer. He stated how gas was almost \$4.00 a gallon so they could figure they were spending \$7.00 on gas and the wear and tear on the vehicle plus they were losing the man hours that those two men were not working on the Borough. Councilwoman Fox stated how she was at a loss and did not know what was going on. Secretary/Treasurer Ahner stated how on a Thursday, there were two men going around picking up just the bottles to recycle them. Councilman Sniscak, Jr. stated how it was only 3.5 tons of bottles in a year. Councilwoman Fox asked if they were going around and picking them up from all the barrooms. President Stromelo stated how they should have the barrooms put them down for recycling themselves or they might raise the rates for the barrooms. He stated how they have been putting way over the amount they were supposed to and the Borough has been very lenient for years. Councilman Sniscak, Jr. stated how he knew that but to spend that kind of money to pick up 130 cases of beer. Councilwoman Fox stated how they should ask the barrooms to recycle. President Stromelo stated how they have asked them. He stated how they might just have to raise their rates.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Mr. Paul stated how there were two guys that pick it up on Thursday and it all depends on how many bottles were out, it could take them an hour or it could take them three hours. He stated how they do not pick them up if it was mixed in with garbage. He stated how there were only two barrooms that were putting them out and the rest were getting picked up on the regular day. Mr. McArdle asked how they could have three hours in there if they were not picking them up at all the barrooms. Mr. Paul stated how they were not picking them up three hours each time. He stated how some times only one barroom leaves them out and some times during the pick up day it was all mixed in with garbage. He stated how some days on a Thursday it might only take them an hour, if every barroom puts them out it takes them almost three hours.

Mr. McArdle stated how Councilman Sniscak, Jr. had just stated that it was three hours and was multiplying that by 52. Mr. Paul stated how that was if every barroom puts them out. Mr. McArdle stated how the figures were not correct. Mr. Paul stated how it could be correct for the next day. Mr. McArdle stated how there were only 4 barrooms and did not understand how it would take them three hours. Mr. Paul stated how they have to put each individual bottle in by hand. President Stromelo stated that if they cannot put them in any faster than taking three hours, maybe they needed some reprimanding. He stated to Mr. Paul that maybe he needed to watch them. Mr. Paul stated how he will follow them. He stated that he knew how long it took. He stated how certain barrooms mix it in and they pick it up as garbage. He stated how some days it will take an hour, some days it will take 45 minutes, some days it will take three hours. He stated how it all depended how many bottles were out and which barrooms put them out.

Councilman Sniscak, Jr. stated that even if they would cut it in half, they were not saving any money. He stated about cutting the time in half and how it was still costing them \$1,500.00 to pick up the bottles plus they were losing the man hours to do the work on the Borough. President Stromelo stated how he would research the information that Councilman Sniscak, Jr. provided. He stated that if they were losing money then they would just raise the rates on all the bars, because they were putting out 30 – 40 cases. He stated how it was a lot of weight when they have a lot of bottles in there. Councilman Sniscak, Jr. stated how a case of beer weighs five pounds. President Stromelo stated how it weighs more than five pounds. Councilman Sniscak, Jr. stated how it did not because he weighed a case and it does weigh five pounds. Councilwoman Fox asked what the fees were for the clubs and bar rooms. President Stromelo stated how it was the same as it was for residential. He stated how instead of a bag they were allowed to put out four cases of beer.

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

Councilman Hawk stated how they have a meeting coming up on December 6, 2010, which was the first Monday in December. He stated how they will be having their Christmas Party on December 4, 2010. Councilwoman Fox stated about getting a meeting to get all the bylaws updated.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

### **7. BUDGET**

**DAVID HAWK CHAIRMAN; ROSE WALCK CO-CHAIRMAN;  
MARK STROMELO**

- **Tentative adoption of 2011 Budgets for all Accounts**

Councilman Hawk stated that they will have to tentatively adopt the budgets for 2011. He stated that with the General Fund, they have the budget totaling \$1,432,096.50 in receipts and expenditures. He stated how the budget carries a 2.74 mill increase from 2010. Councilman Hawk stated how there were a few reasons for the increase. He stated how one of the reasons was for the loss that the Borough incurred due to the reassessment of properties in the Borough. He stated how they had a loss of income of approximately \$80,000.00, which was one tenth of their property tax income. Councilman Hawk stated how another thing that was in the budget was the road improvement project that the Borough was embarking on. He stated how they had mentioned before on how it was a multi year project. He stated how they were taking financing out, which they will have to repay. Councilman Hawk stated how they were also budgeting for an additional police officer to hire in 2011. He stated how they had hoped to get a grant for it but they have been turned down. He stated that due to the workload on the police and the nature of the incidents that they were dealing with, the Borough believes that they need to hire another officer to continue to provide the protection to the people of Nesquehoning. Councilman Hawk stated how there were other increases in there because of the new contracts that were adopted with the salaries, benefits that go along with those and health insurance.

Councilman Hawk stated how they have a Recreation Budget of \$18,499.76, which will include a .11 mill increase from 2010. He stated that the other reason they were looking at the increase in millage was because of the fire protection and the recreation budget, which they have held the millage constant for the last couple of years, but the value of a mill has been decreasing. He stated that the actual amount of money coming in due to those taxes has been decreasing even though the millage has stayed the same. Councilman Hawk stated how they have gotten to the point where they want to restore the dollar amount that they were putting into those funds. He stated that the only way they would be able to do that was to have a small increase in the millage.

Councilman Hawk stated how the Fire Truck Fund Budget with an income of \$93,058.79 and expenditures of \$86,667.85 with a net income of \$6,290.94 to stay in the Fire Truck Fund itself. He stated how the fire protection budget also has an increase of 1.5 mills. He stated how it was to restore the dollar amount that the Borough should be getting to make the necessary expenditures and contributions.

Councilman Hawk stated that the Sewer, Operating, Maintenance Fund has a balanced budget of \$377,200.00. He stated how the sewer payments will remain the same and there will not be an increase for 2011 sewage fees. Councilman Hawk stated how the General Sewer Fund has a budget with an income of \$435,005.60 and expenditures \$426,457.19 with a net income of \$8,548.41 to be applied to their assets for future expansion projects.

Councilman Hawk stated that the Sanitation Fund had a balanced budget of \$1,214,658.86. He stated how the fees will remain the same for 2011.

Councilman Hawk stated that the increase in the General Fund, Fire Truck Fund and the Recreation Fund for 2011 comes to a total of 3.0 mills. He stated how they have gone over everything in the budget and they feel that in order to continue to provide the services that they have been providing, the increase was necessary.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to tentatively adopt the budgets for 2011.

Councilwoman Fox asked Councilman Hawk was a mill was worth. Councilman Hawk stated that a mill for 2011 was worth \$61,796.00. Councilwoman Fox asked what it was worth last year. Councilman Hawk stated that it held fairly steady from 2010 to 2011 but in previous years it had been decreasing. Secretary/Treasurer Ahner stated how at one point in time a mill was worth \$68,000.00 - \$69,000.00. Councilman Hawk stated how it was around \$70,000.00 when he had first got on Council. He stated how they have been losing \$6,000.00 - \$8,000.00 a mill over the last couple of years. Councilman Hawk stated that for the budgeting they can only figure on 95% collection on it. He stated how they have to allow themselves for the non-collection for the budgeting. Mr. Merman asked about a report to what they were actually saving when it came to the garbage. He stated how they still do not have the report and they were in the garbage business for how many years. Councilman Hawk stated how they have reported in the past what the garbage was saving Nesquehoning. He stated how the garbage was funded by the Sanitation and it does not figure into tax money at all. He stated that when they talk about the water revenue, that was the water authority not council. He stated that if he was talking about sewage, sewage was based on EDUs and was not based on consumption. He stated that was a person was paying for their EDU, it does not matter how much water they were using but that was irrelevant because the water revenue does not come to the borough anyway.

Councilman Hawk stated how they had just heard the supervisor explain how they have been able to save on some of the projects they were doing in the borough. He stated how they are trying to do things as efficiently as they could. He stated how they were trying to utilize the workforce as best as they could. He stated how there were several things that were being done in the borough that were not done in several years. Councilman Hawk stated how he thought that the taxpayers were getting very good service for their money and as he explained they have lost income due to reassessments, they lost income due to the shrinking value of a mill and there were two major things that they have budgeted for next year. He stated how they could not get a grant to hire a police officer so they included that into the budget and the road program, which he believes everybody in town over the course of the next ten years was going to see for themselves as they drive around town exactly what that money was getting them and he thinks that they were going to be pleased with the results. Councilman Sniscak, Jr. stated how they have been working for months on grants and the government had shut everything down. Mr. Merman stated about an amusement tax. He also stated about wells being drilled and metering them.

Frank Jacobs stated how the council should look into the budget a little more because they know people were hurting, no jobs and they were talking about putting the millage up. He stated how they could save \$70,000.00 - \$80,000.00 just by forgetting about putting another full time cop on. He stated how they were talking about a grant, but those grants were only good for three years and then the taxpayers have to pick up the tab. He stated how they should reconsider on some of the stuff. He stated how he could see about paying on the loan for the streets because it was needed but some of the other things should be revisited. Mr. Jacobs stated about reconsidering for the senior citizens in Nesquehoning because of the limited income they have with their social security. He stated how everyone else was talking about laying off and they were talking about hiring. President Stromelo stated how the three mills did not include anything for the radios because the federal government was mandating the change to low banding.

All voted yes. Motion passed.

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

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

- **Computer Pals – Estimate for a new computer**

President Stromelo stated about purchasing a new computer for the Borough office and it would be purchased through liquid fuels. Secretary/Treasurer Ahner stated how she had talked to John Davis and it could be up to \$1,000.00 on any software or hardware.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to purchase a new computer for the borough office to be purchased through liquid fuels.

All voted yes. Motion passed.

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

- **Nesquehoning Fire Department – Summary Reports for September and October**
- **Nesquehoning Ambulance – Summary Reports for September and October**

Councilman Zabroski read the reports for September & October:

22 responses for the two months;

- 1 dwelling fire
- 1 structure
- 5 automatic fire alarms
- 3 motor vehicle accidents
- 3 landing zone
- 2 fire police
- 1 spill containment
- 1 mutual aid JT
- 1 EMS assist
- 1 tree down
- 3 odors

He stated how there were a total of 98 Fire department responses for the year.

Councilman Zabroski stated how there were 40 ambulance responses for September and 841 miles and there were 38 ambulance responses for October and 958 miles for a total of 381 EMS calls and 7,220 miles traveled for the year. He stated how there were 23 EMS calls handled by KME employees during work for a total of 91 for the year.

- **KME Cost Estimate – Seagrave Fire Truck**
- **Auditor General – Compliance audit of Nesquehoning Volunteer Firefighters' Relief Assoc.**

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

Wednesday, November 17, 2010 at 7:00p.m., Borough Office

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

No report.

**JR. RECREATION COMMISSION**

No report.

Councilman Zabroski moved and Councilwoman Fox seconded to accept all committee reports. All voted yes. Motion passed.

**NEW BUSINESS**

No new business.

**OLD BUSINESS**

No old business.

**ADJOURNMENT**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:44 p.m.

***RoniSue Ahner***

RoniSue Ahner  
Secretary/Treasurer