

MINUTES FOR SPECIAL MEETING OF NESQUEHONING BOROUGH COUNCIL

Thursday, September 2, 2010 at 5:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN DiMICELI, HAWK, ZABROSKI; COUNCILWOMEN FOX & WALCK; PRESIDENT STROMELO; & MAYOR WALCK

President Stromelo called the meeting to order at 5:00 p.m.
Councilman Sniscak, Jr. and Solicitor Yurchak were absent.
Councilman Zabroski arrived late.

PURPOSE: General purposes

MEM

Bob Kearns stated how the mainframe work and the work within the facility of Nesquehoning had been done for quite some time. He stated how PPL had been focused on, for the past year, revising the specification, which they measure their work. He stated that once they meet the specifications, it qualifies them to move from the SHS to the SE, which was what the project was all about. Mr. Kearns stated how it was a turn-key performance job, which meant that there were a couple of safety nets that were built into it and those safety nets were working with the exception of the process of how the Borough would get reimbursed when they go over the cap payment. He stated how there was a project cost cap, they have a long term maintenance component that was fixed, they have a responsible working requirement and a cost fund. Mr. Kearns stated that PPL's specifications were finally catching up from the year 2000 to the year 2010 with 2007 safety codes. He stated how they had no other modifications prior.

Mr. Kearns stated how once they took their initial drawdown last March; it became very compromising to ask for another construction draw even though they were finished. He stated how there was nothing to scale the work against as a measure that says "if that was the code, they now have met 98% off all the requirements" or "if that was the code, they now have met 85% off all the requirements" until they finally issued them with the rate case. Councilwoman Fox asked what a rate case was. Mr. Kearns stated how PPL filed for a residential rate increase and asked for \$110 million and settled for \$75 million. He stated how the PUC was authorizing that passing of those rate increases, which was on distribution. He stated how it impacts the Borough in two different ways. He stated that when they ask for a change, they included the new specifications as part of the rate case. He stated how now that the rate case was resolved they were going back through the certifications that they had asked for and they were making a couple of clarifications that they had asked for. He stated how they should be able to transition the system within the next 45 – 60 days. Mr. Kearns stated how they had been in Harrisburg and have met with PPL a number of different times. He stated how they do not have primary and what they were trying to do was to accelerate Nesquehoning and a few other small municipalities. He stated how they had been successful in doing it and they will see the fruit come soon. Mr. Kearns stated how second to the issue would be the effective date. He stated how they had finished working there, so they have certified their work but they had anyone yet to question any of their work as not being done. He stated how they have been very clear on how they have structured their request so in the event they ask for a rate refund to be retroactive from last November or last August, they have a standing basis to do it on.

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Mr. Kearns stated that one of the new things was that the Borough had a new manager and had some transitions but what they would like to do was to bring someone down the following week to show them the GIS system and give them the hands on training. He stated how most municipalities do not want it but he thought that there was some fear whether or not when they looked up and would not know if something was done. He stated how they have photographs from before and after and it also sends out GIS. He stated how it links it by the latitude and longitude and links it by the pole number. He stated how each one of them meets the requirements of the utility.

Mr. Kearns stated how there were a number of things that had happened in Nesquehoning that were not compliant to what PPL was supposed to do before they go there. He gave an example: that if they would drive down the main street, they will notice because of the configuration of the poles, which it took them a hundred years to install, they feed from one side of the street to the other and when someone was without power, they would feed from right next to the street light and run it over to the house having no regard to where the secondary wire was running. Mr. Kearns stated how there were a couple of things out in the municipality that they had asked PPL to fix. He stated how that was called sub-standard complex make ready work, which meant there was a condition that the Borough should not be required to pay for to get it in compliance. Mr. Kearns stated how they will not hold up the transaction based on that but there will be engineering that they could certify to a third party to make sure they do what they were supposed to do in accordance to the specifications. He stated how that was where they sat with those components. He stated how that was so they had a view of the financial impact.

Councilman DiMiceli asked if PPL was given around \$86,000.00. He stated how they had also asked for an itemized breakdown and they had never received one. He stated how there was, he believed, \$86,000.00 given to PPL but he did not know for what because they were getting a turn-key. Mr. Kearns stated how they were getting a turn-key. Councilman DiMiceli asked what the \$86,000.00 went to PPL for. Secretary/Treasurer Ahner stated how they requested a break down as to where the funds went that had already been drawn down out of the account so far and have received nothing. Mr. Kearns stated how there was one advance. Secretary/Treasurer Ahner asked where it went. Mr. Kearns stated how that advance was directly paid to them and it was an advance payment for the make ready work, equipment, materials, purchases, engineering, inventory, GIS; it was all listed . . . Councilman DiMiceli stated how they had asked for a breakdown of it and they never received it. Mr. Kearns stated about looking at what was in front of them. He stated that in the very first transaction, the very first part of the transaction with the commencement payment, meaning that they signed the agreement and gave him a payment and there was an invoice attached. He stated how he never took anything else except that first payment.

Mr. Kearns stated how nothing had changed from the day that they had the documents until then in advances that were made on behalf of Nesquehoning on the advancement of that loan to them. He stated that the documents they had from the time that they signed and funded the request in each of the line items were identical. He stated how there were no other advancements made from Nesquehoning. Councilman DiMiceli asked if the payments were made out of that money. Mr. Kearns stated how they were a turn-key project. He stated how it was a lump sum. He stated how they said how that was the value of what was going to be done and these were the balances.

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Mr. Kearns stated how that was what they expected to do in those categories. He stated how there were five categories. Mr. Kearns stated that based on the percentage of completion, they would draw down as a subsequent drawdown. Mr. Kearns stated how 60 days ago when they were looking for payment, it was to pay whatever else remained on the contract other than the retainage. He stated how they were going to drop from the SHS to the SE. He stated how there was a turn-key performance check. Mr. Kearns stated how the contract was, how much they were going to spend in doing it and the categories it was being done in.. He stated how they were moving from one rate to another rate.

Councilman DiMiceli stated how he did not understand because Solicitor Yurchak was concerned about getting an itemized breakdown on money that was given to MEM. He stated how Solicitor Yurchak had made phone calls and sent emails and was assured that they were going to have it a couple of weeks ago. Mr. Kearns stated how they were just asked to come to a meeting. He stated how the subsequent advance, the advance they were looking for in July, to close it and move the transition was not approved. He stated how that was at the same time as when the Borough had to make an interest payment and the loan was going to go into default. Mr. Kearns stated how the agreement was set up specifically to say how much money they were borrowing. He stated about the cap payment and if the Borough would go over what they were supposed to pay at the end of the quarter; the Borough pays it out and MEM reimburses it.

Mr. Kearns stated that if they would look at the schedule which was attached to the original agreement, even when Concord did it; there was a capitalized portion of interest that was included in the contract. He stated that if they had looked at the schedule and in the 5th or 6th column, there was something that said about capitalized interest, interest reimbursed by contractor. Mr. Kearns stated how the amount was \$20,000.00 and they did not draw from that. He stated how at the time the Borough was looking for the \$13,000.00 payment; they said how they would process the draw for the payment at exactly \$13,000.00. Mr. Kearns stated how that was not what the Borough wanted to do, they did not want to draw it. He stated how he was trying to be transparent to show them that the interest the Borough was paying was going to be reimbursed and that it was going to be capitalized on as far as the original project. Mr. Kearns stated how there was nothing that he did that would have caused any other disbursement or detail other than the commencement payment that was made, which was all part of everybody's package before they started. He stated how it was that signature, with that payment, with that contract which got them to start. He stated how they went out and did the physical work, the group re-lamping, the fusing, they moved the poles, they moved vertical clearance, they did the LED light at the intersection. He stated how they did all the taping, the fusing that was required, engineering the GIS physically marked.

President Stromelo stated how they did not do anything with LED lighting at the intersection. Mr. Kearns stated about the one intersection. President Stromelo stated how the Borough did that. Secretary/Treasurer Ahner stated how that was done before MEM came along. President Stromelo stated how no poles were moved either. Mr. Kearns stated how he was talking about moving a fixture for vertical clearance. President Stromelo stated that after they had paid the money, they had seen vans with no names on them all around town. He stated how people were calling with questions as to who they were. He stated how all they did was change the bulbs and put an eye on top.

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Mr. Kearns stated how they had group re-lamping, which was because they had to have the lights working. He stated how they were different activities that happened at different times. He stated how they had fuses cut in and they had digital shots so they could zoom in on them as much as they liked. He stated how that work had been certified and was done. Mr. Kearns stated how they do not have anything that has to be done by MEM other than the exceptions to go through protocol by PPL for substandard events that were code violations that they had assembled in the field. He stated that what they will try to do. . . Councilman DiMiceli asked who had assembled. Mr. Kearns stated that over the last hundred years; PPL. He stated how they were supposed to have 20 inches below. . . Councilman DiMiceli asked why they would have to pay, out of their money, for PPL's mistakes or code violations. He stated how they were told that the system was going to be brought up to code before it was turned over to the Borough and before any of the Borough's money was spent on it. He stated how it would not come out of the Borough's money. He stated how PPL would have to bring it up to code and then the Borough would purchase the system. Mr. Kearns stated how MEM would bring it up to code before the Borough would get the SE rate. He stated how they have to do everything that was required for private ownership, which was bringing it up to the current National Electric Safety Code. He stated how it was MEM bringing it up and a substandard event was what he was telling them was happening.

Mr. Kearns stated how there was no reason for Nesquehoning to pay PPL for a substandard complex work, which had to be done and which the Borough did not cause or their request did not cause. He stated how he was not interested in paying PPL to fix something that they let knowingly create the violation to begin with but he also cannot work in the space until the violation was cleared. He stated how they have a number of violations that have to be cured. Mr. Kearns stated how the Borough was not paying PPL for anything other than the dedicated asset value of the stuff, their engineers for review, final review and certification. He stated how they have done all of the make ready work, all of the inventory, all of the engineering, all of the GIS and they do not have to get out of the chair. Councilwoman Fox asked about the GIS. Mr. Kearns stated how there was a mapping program that was widely used and it actually takes the streetlight and plots it on a map. He stated how it creates a spreadsheet, which allows them to have things in the information based on a point not in rows and columns. He stated that if they would hit that point, the rows and columns open up. He stated how in that program, which was a web based program, they can click on it and see the photograph on the light, the pole number, the activity and the size of the lamp. He stated how they could do that by street or by latitude and longitude. Mr. Kearns stated how it could be useful for a couple of different reasons. He stated about an audit trail, the number of lights that were supposed to be on the bill. He stated about trying to find a light in the park. Councilwoman Fox asked if MEM had done that. Mr. Kearns stated how they had done all of it.

Councilman DiMiceli asked how much of a refund they were going to get. Mr. Kearns stated how it would depend on how quickly they would do it. He stated that if they would do it quickly, there was a cost savings balance. He stated how there were two things in that, the legal fees in challenging them to do some stuff was a consideration against what the Borough would get back. He stated that if they would make it effective in November, to what the petition was, \$0.70 on all the dollars the Borough spent since November, which would potentially go back into the CSRA. Mr. Kearns stated how that would be the effective date and it would be impacted by what their cost would be to maintain it since November. He stated how there would be some chargeback, back and forth.

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Mr. Kearns stated about the brand new bulbs, photo controls and fuses and how they have out-of-the box failures. He stated how for every 100 lights, 5% will be bad. He stated how the Council was probably told about several lights being out right after they did it. He stated how that was from the parts from the manufactures failing. Mr. Kearns stated that once they got through the cured period, the outages were very limited. President Stromelo stated how he would beg to differ on the light outages. He stated how there have been plenty. He stated how he had gone on himself to get them corrected. President Stromelo stated how one specific light was out for three months. He stated how it was just repaired and it was a PPL truck that fixed it. Mr. Kearns stated how it was a power supply issue. He stated how they should add a feature based on the frustration because if it was out and it was out beyond the three days, they should be able to see the level on the web and that the reason it was out; it was a power supply issue. He stated that the reason it was out was a code violation. President Stromelo stated how the web site was very vague. He stated how the pole did not even show up on the grid. He stated how he had to give the pole number next to it. He stated how it did not even show up in the GIS. President Stromelo stated how there was one on the corner of School and Mill Streets the next pole down. Mr. Kearns stated how the Borough had a bunch of area lights, which they have changed out so new they will not be able to tell what someone has on their bill compared to what the Borough has. Mr. Kearns stated how they have 418 lights that were mapped on the system that the Borough was supposed to be paying for.

Councilwoman Fox asked what CSRA was. Mr. Kearns stated how it was a cost savings reimbursement account (sinking fund). President Stromelo stated about the Christmas lights and how they were promised that they would all be upgraded. Mr. Kearns stated how there were two different things, they have been down more than once to talk about the Christmas lights. He stated how the Borough had a number of different sensors that were old and they were looking to add new sensors. He stated that he did not know what the numbers were but the cheapest solution was to put a different photo controller, (a lock out) on the top of the street light. He stated how that was the solution they wanted to use but they were told that the Borough wanted a sensor and they wanted it in the same spot. He stated how that was an \$8,000.00 request and the photo controllers were a couple of hundred dollars. Mr. Kearns stated that they would strongly suggest looking at where and how they were putting them up and look to the other solution. President Stromelo stated how the sensors were on the poles already. He stated how they were supposed to upgrade them and then add more to the east end of town.

Councilman DiMiceli stated how he was looking at some of the old minutes and they were basically told that all the work was going to be done ahead of time at PPL expense and then they were going to take over the system. He stated that with the Borough taking over the system at the time, there would be a rate reduction and there was even mention about forensic accountants who would go over everything to make that sure everything was in line and they were not going to be lowballed on the figure and have to pay more later. Councilman DiMiceli stated how when he had talked to Solicitor Yurchak, Solicitor Yurchak was under the same impression that the upgrades were going to be done by PPL because PPL could not be turned over to the Borough until their system was up to code. Mr. Kearns stated that the forensic accounting and the idea of knowing what they were spending based on the cost of their assets had to do with the rate case. He stated that when PPL filed the rate case, they go over a cost of service study and they go back through the cost of service to make sure the Borough was not getting highballed. He stated how that did happen.

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Mr. Kearns stated that if they recall when they got a letter from PPL, the system ball-park estimate, and then they would list an estimate per light, for engineering and make ready work. He stated how they never had done any of that work. He stated how they have never been close to what the ballpark estimates were. Mr. Kearns stated how one request had nothing to do with the other. He stated that the forensic account of what it was that had to be done was exactly what he just described and was exactly what he says each and every time no matter which way they would want to pull a recording. He stated that when they forensic, they were looking at a case statement and try to find out that they do not pay too much. He stated about only paying so much for it. Councilman DiMiceli stated to Mr. Kearns about his own words when he had asked who had set the price at \$431,000.00. He stated to Mr. Kearns that his words were how there were a couple of things involved, there were the physical moves on the poles, the secondary feed systems, the clearance the Borough needed between communications and other attachments on the pole and they had to meet codes and OSHA standards.

Councilman DiMiceli stated how they were told by him, during one of the meetings that PPL would bring everything up to code. Mr. Kearns stated how MEM would bring everything up to code and that was why they were paying them. He stated how codes had to be met. He stated how there were two different things that they were talking about. Mr. Kearns stated that if there was a knowing violation that occurred prior to the Borough taking it over, which they were talking about 5 lights, that knowing violation has to be cured by them first. He stated how everything else had already been taken care of. Councilman DiMiceli asked Mr. Kearns how much they had spent on that. Mr. Kearns stated how they had spent more than they had advanced. He stated how they were over \$380,000.00 against the total cost of what they had contributed to Nesquehoning. He stated that they did not expect a delay and that was why they were going to be asking for some sort of refund. Councilman DiMiceli asked how much was spent on the mechanical part of it, not the rate delay, not the PUC. Mr. Kearns stated how there was probably 2/3 of it spent on the physical assets, paying linemen, paying people in the field, paying for equipment to put the field stuff in. He stated how the only thing outside of that was engineering, GIS and the field study.

Patrick McLaine stated how the bottom line was how it was a turn-key performance contract. He stated how they have to move them to the SE rate, which was where the savings come into play. He stated that whatever that cost was, MEM was responsible for and any delays were not hurting the Borough, it was hurting them. Mr. McLaine stated how they were paying the lawyers to fight the PUC and to fight PPL. Councilman DiMiceli asked Secretary/Treasurer Ahner how much money the Borough gave to MEM so far. Secretary/Treasurer Ahner stated how it was whatever the first drawdown was. Mr. Kearns stated how it was around \$285,000. Councilwoman Walck stated how they still did not get a report. Councilman DiMiceli stated how that was what Solicitor Yurchak was asking for and he still had not received it. Councilwoman Walck stated how they would like some kind of report in writing to specify an itemized list of what it all was. She stated how she felt that they had a right to have it. Mr. Kearns stated how there were two things. He stated how they have a turn-key project, which said how someone was responsible for paying \$10.00 to do that. Mr. Kearns stated how his payment was contingent on . . . He stated that he does not get the rest of their money until he moves the borough from the SHS to the SE. Mr. Kearns stated that he did not get to walk away with the liability of the Borough's interest payments, the Borough's cost payments and the increases. He stated that when it comes to reimbursing the Borough, if it was not at the lower rate, it was at his expense.

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Mr. Kearns stated how that was where they were right now; they were part of what they were asking for support so they can get PPL to make the change. He stated about a consorted front. Mr. Kearns stated how he did not take another advance. He stated how everyone had in front of them the details they were now looking for. He stated how there was no other advance. Mr. Kearns stated how there was another advance that was requested so that they could make the change. He stated how it was brought up to Council and they did not want to do it yet.

Councilman DiMiceli stated how they were being told how they were two months behind on their loan payment and MEM was supposed to be making or drawing down from the Borough for. He stated that if one payment was not made, the bank was going to call in the loan. Councilman DiMiceli asked if there was anything there that he was misunderstanding. He stated how that was how Solicitor Yurchak explained it to him. He stated that on the advice of their Solicitor, the Borough paid the bill. He stated how the Borough made one payment. Councilwoman Walck asked if there was ever a time that MEM said how they would send the payment in for it. Councilman DiMiceli stated how there was going to be a check sent, then they were told how there was going to be a courier bringing up a check. Councilwoman Walck asked if it never came. Councilman DiMiceli stated how it was supposed to be there by Thursday, and then they were told it would be there by Friday. He stated how they never received the check but Secretary/Treasurer Ahner made the payment for \$13,000 on Monday anyway. Mr. Kearns stated how they had an invoice that nobody wanted to pay. Councilwoman Walck stated to Mr. Kearns how they said that they were going to pay it and that was what she does not understand. Mr. Kearns stated how they had submitted an invoice. Secretary/Treasurer Ahner stated how she could not open it but Solicitor Yurchak had sent a copy over. She stated that it was put how they were going to draw down to pay on the loan. Mr. Kearns stated how they should go back because the paperwork usually supports what it was that actually happened. He stated how there was an invoice requested and there was a request detail on that invoice.

Mr. Kearns stated about questions concerning where they were in regards to the code. He stated how it had happened before PPL had issued the specifications. He stated how they would come and answer the questions and there was a time frame they were given. He stated how there was a conflict on one. Secretary/Treasurer Ahner stated how it was August 18th that MEM was not able to make the meeting. Councilman DiMiceli stated how MEM had a meeting the next day with PPL attorneys. Secretary/Treasurer Ahner stated how other than that, they did not schedule any other type of meeting. Mr. Kearns asked if the borough did not have them scheduled to even talk about the invoice when the invoice came in two months earlier. Secretary/Treasurer Ahner stated "no". She stated how she received an invoice in an email the day she had called to try and get a payment. President Stromelo stated how she was saying that she never got an invoice.

Secretary/Treasurer Ahner stated that the way they had looked at it was MEM wanted to do a draw down of the account then turn around and pay on the loan so they were up to date on the loan. Mr. Kearns stated how Solicitor Yurchak in his emails called Plan B, which did not. He stated how they were only going to draw the portion they needed for the interest. He stated how they would only draw the \$13,000. Secretary/Treasurer Ahner stated how that was still drawing off the loan to pay the loan.

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Mr. Kearns stated that in the documents, in all the paperwork and in all the FA statements, they had intended fully as the capitalized portion to why they set that as the project number to take \$20,185.00 as a minimum to capitalize against the interest and the payments that were due. Mr. Kearns stated how they have not drawn any of that from the day they started until then. He stated how they had made one other payment because . . .

Mr. Kearns referred to the Analyzing the Benefits of Ownership spreadsheet from Concord. He stated about column #6, "Paid by Contractor" in the amount of \$20,591.00. Mr. Kearns stated that when they pay interest, it was reimbursable under cost savings. Mr. Kearns stated how they knew that when they started from day one for May 2009's payment; the Borough still had the high PPL bill plus then the Borough had the interest bill against the borrowings. He stated that what was said even in the CSRA balance, they could match whatever it was that the Borough's request was tighter so that MEM could reimburse the Borough in a timely fashion on the CSRA. Mr. Kearns stated how, when the first one came up, MEM reimbursed the Borough before they actually had the expense to pay it. He stated that when the Borough paid it, they were supposed to submit an invoice for reimbursement so the Borough would have one window ahead. He stated how that was why MEM advanced the first. Mr. Kearns stated that the way the CSRA works was that he only gets reimbursed if MEM pays the Borough and it qualifies under the CSRA. He stated how PPL was going to apply some sort of a refund because there will be some sort of an effective date. He stated that if he did not have a qualified invoice, he cannot get reimbursed for that.

Mr. Kearns stated how they could take it from the draw or pay it and get reimbursed and that was the request that was made. He stated how they were trying to be transparent by saying out of the last draw of \$110,000.00 that would not be left go, \$20,000 would be held for interest as far as how they do it. He stated how \$13,000 would have been paid back to Jim Thorpe and the rest of it was to reimburse the stuff that had been paid out. Mr. Kearns stated how he was away and he did not know what Plan B was other than saying if they want to go from point A to point B, the only thing that they would be doing was what they did and it was appropriate. Mr. Kearns stated that if he had to pay the Borough's entire balance to PPL and then say how the Borough was at the low balance, pay him the rest after the fact, which was what they were prepared to do. Mr. Kearns stated how that was the obligation. He stated how they started at that and said that was how much they were going to pay for the project and they end up at that number. He stated how they were only going to pay for the cap and at some point someone was going to say that was how much was left that they owe on the project and that was how much they had to release to MEM because they have to make themselves whole on the cap payment. He stated how then the Borough will own their own system at the lower rate.

Secretary/Treasurer Ahner stated that what she did not understand, when they were in, the way she understood it, the Borough would not have to make a payment to anybody other than PPL until the Borough converted and then the Borough would be responsible to be paying on the loan and paying the lower rate on PPL. She stated how they would not be out of pocket for anything more. She stated how they were now out of pocket \$13,000. Mr. Kearns stated how there was one interest payment that was already made. He stated that if the Borough had paid that same amount, meaning the Borough received the money, the Borough received the benefit of the money to pay on the interest because MEM paid the interest.

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Mr. Kearns stated that if the Borough would have paid it, even if it was to exchange the checks; the Borough pays it, submits an invoice and he pays it, the Borough would never get behind because the reason they made the first payment on the interest was so that the Borough would not fall behind; so the Borough would not have out of pocket. Secretary/Treasurer Ahner stated how the way she understood it, was that they would not be submitting any checks, the Borough would not be paying anything at all, that they would not be cutting a check to anybody but PPL until the Borough owned their lights and then it would convert over and then they would be paying the bank. Councilman DiMiceli stated how that was how he understood it and that was how Solicitor Yurchak understood it. He stated how he was reading how they were asked for a detailed list of things that were done. He stated about emails with invoices attached. He stated how they had asked for an itemized list and they did not get it. Secretary/Treasurer Ahner stated how that was the new invoice. Councilman DiMiceli asked if that was the new one, did they have one before that. Mr. Kearns stated about the commencement invoice. Councilman DiMiceli stated how they had asked for an itemized list of work that had been done. Mr. Kearns stated how there were some people who would look at the lights and say how as they know that it meets . . . and at that point, he was not trying to be a heat merchant and did not care if that got done; lets take time, get use to it, look at the stuff, here was the map, here was what was done and here was everything that was ready; it all meets the compliance and when they were on the SE, somebody besides the Borough . . . He stated that once the Borough was on the SE, somebody besides the Borough . . . He stated that once the Borough was on the SE, they meet the requirement of the National Electric Safety Code. He stated how that was why they were just finishing getting the Borough to the SE rate. Mr. Kearns stated that if they were on the SE rate, then they have been blessed; they have the system; they have the certificate; they will get the PUC certificate, which says here was the certificate of convenience the Borough meets all the requirements and they drop to the lower rate.

Secretary/Treasurer Ahner stated how they still had to pay out and that was why they held back on the loan. Councilman DiMiceli stated to Mr. Kearns about his email that was sent to Solicitor Yurchak and how he was going to do a wire transfer but nothing ever occurred with it. Mr. Kearns stated how that was the second . . . He stated that if the Borough was paying him the draw down on the \$110,000.00 . . . Secretary/Treasurer Ahner stated how it was two months behind and they were still two months behind as of yesterday. She stated how last month or on July 31, 2010, the Borough was two months behind. She stated how MEM was not giving her an invoice for a draw down at that time, June 1, 2010. Secretary/Treasurer Ahner stated how on June 1, 2010, she did not get an invoice stating how MEM needed a drawdown in order to finalize all of it so the Borough can start paying the loan and the Borough will own the lights. She stated again how they never received an invoice on June 1, 2010 and as of July 31, 2010 the Borough was two months behind. She stated how nobody had paid on that loan for two months. Councilman DiMiceli stated how he was looking at the Jim Thorpe statement stating that on June 1, 2010, \$13,218.23 was due. Secretary/Treasurer Ahner stated how the payment was always late. She stated how she had received late notices from the bank from day one. Mr. Kearns stated how that should not have happened with the first interest because all the Borough had to do was to submit the first payment, put it in for reimbursement at the end of the quarter, put the payment . . . Councilwoman Fox asked if the first payment was a \$13,000 reimbursement. Mr. Kearns stated how the first payment was not late. Councilwoman Walck stated how they put in for that and MEM will reimburse them. Councilman DiMiceli asked Mr. Kearns how the Borough ended up 60 days behind. Mr. Kearns stated how they had been in it since April 2009.

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President Stromelo asked what they got out of it so far. He stated how MEM upgraded lights. He stated how the Borough still had not seen any savings. Mr. Kearns stated how they had and he was saying it with great confidence how there was not a municipality that was that size . . . He stated how there were municipalities that were 20 times that size. President Stromelo stated how they now have Tamaqua, Coaldale, Lansford, Jim Thorpe and Nesquehoning all having problems. President Stromelo asked Mr. Kearns what he thought the Borough was thinking. He stated how they were two months behind on payments. Secretary/Treasurer Ahner stated how Lansford had to make a payment as well. Councilman DiMiceli stated how Tamaqua was told that they could use all of their Liquid Fuels tax money and when he talked to a Tamaqua Council Member; their auditor told them how they were not allowed to do it. He stated how they were stuck putting \$77,000 back into their Liquid Fuels. Mr. Kearns stated how they could follow any of that up in writing. He stated how Tamaqua did not spend one dime of Liquid Fuels that did not qualify in 2009 or in 2010. He stated how it was questioned and there was not anything that had to be recast. Councilman DiMiceli stated to Mr. Kearns about talking to Councilman Brian Connolly because he was very clear to him on that. Mr. Kearns stated how they could be very clear, that they did not spend Liquid Fuel money on MEM's expense for one dime of what they did yet. He stated how Tamaqua was getting qualified for the debt of which their borrowing was.

Mr. Kearns stated how there were three things that happen when they end up at the end of the deal. He stated how they will still pay PPL but it was a much lower amount . . . Secretary /Treasurer Ahner stated how they were still paying the high bill to PPL. Mr. Kearns stated how that was right now because the Borough was still on SHS. President Stromelo stated that a year and a half later, the Borough was still at the same place with putting a lot of money out. Mr. Kearns stated how it was fully anticipated that it would take 12-18 months. Councilman DiMiceli stated how that was not what they were told. Mr. Kearns stated how MEM finished the physical work within 90 days. Councilman DiMiceli stated to Mr. Kearns that they had told Council . . . Secretary/Treasurer Ahner stated how they had told them that they expected to be done by the end of 2009. Mr. Kearns stated how they really wanted to be done before the end of 2009. He stated how it was not their idea.

Councilwoman Fox asked Mr. Kearns if PPL allowed them to go on their poles and fiddle with their stuff to bring it up to code. Mr. Kearns stated how it depended on what day of the week they ask them on; but yes. He stated how there were things that they could do on their system. He stated that he did not know if they remembered how they went through a rebirth and stated about how many times they have dealt with a different person over the last year. Mr. Kearns stated about the personnel at PPL and how someone will look at it and state about how they had not received formal notice that they have the intent to buy and if they do not receive the intent to buy; they were not allowed to climb the poles, therefore they think MEM was illegally climbing the poles; they were trespassing, stop, cease and desist. President Stromelo stated how that had just happened six month ago. Mr. Kearns stated "yes". He stated that if that was what it was and it was by August 19th. He stated that by August 19, 2009, they had given PPL their letter of intent, the hours and aging agreement, and they had the safety standards that they use; they meet the compliance; here were the assets; here was the bond and here was the stuff.

Councilman DiMiceli stated how he did not feel that it was an unreasonable request for an itemized . . . Mr. Kearns stated how it was and he would explain why. He stated how it was not in PPL's best interest to have them figure out exactly what it was that was being done and where.

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Councilman DiMiceli asked if they paid them. Mr. Kearns stated how they have to continue to pay them. Councilman DiMiceli stated how MEM was paying them for work that was done on their pole to bring what was going to be the Borough's light system up to standards. Mr. Kearns stated that the closest analogy that he can come up with . . . Councilman DiMiceli stated that he was asking him a question. Mr. Kearns stated how the Borough will continue to pay them in lump sums and black boxes until they make the move. Councilman DiMiceli stated how that was not what he was asking him. He stated how MEM was working to get the armature and everything else up to standards (code) so that the Borough could take it over and MEM was making payments to PPL or to another company to bring it up to standards. Councilman DiMiceli stated to Mr. Kearns that he was going to tell him that he could not tell him which lights MEM paid Hinkle & McCoy or some other company. Mr. Kearns stated how they have done it all. Councilman DiMiceli stated how they would like to have an itemized list of every pole with the number and any armature that was brought up to standards. He stated how that was what they were asking for. Mr. Kearns stated how they get an itemized system. He stated how he gives them photographs from the start, with the number. He stated how anybody . . . it was the street light out front. Mr. McLaine stated how it was not a program as to the Borough reimbursing them for the cost. Councilman DiMiceli stated how that was not what he was saying. He stated about poles 1, 2, 3, 4, 5 and 6 were checked off; upgrades were done by Hinkle & McCoy. He stated how they were asking for some kind of list like that. Councilwoman Fox asked if that was what they were talking about. Mr. Kearns stated how they can bring up the picture of the pole/light. Councilman Zabroski asked if it was on line.

Mr. Kearns stated how it was not an invoice; how it was all the things they were looking at. He stated how all the things they were talking about were physically right there. Mr. Kearns stated about an invoice and how it would cost \$6 for fuse tape or \$26 for a fuse. Councilwoman Walck stated how they were not looking for that detailed. Councilman DiMiceli stated that to some extent they were. Mr. McLaine stated how that was not what the contract was about. He stated how it was a turn-key performance contract. He stated that whatever the cost was to move it to the SE rate, if it was more than what the Borough agreed to pay them, then they were out of pocket for it. He stated how they could not come back to the Borough for extra money for qualified work. Mr. McLaine stated how putting another pole in or something like that would come out of the cost savings. He stated how anything to make the lights compliant was part of the cost. He stated that with the delay, it was hurting them. Mr. McLaine stated how PPL was changing their process. He stated that they have to do whatever it takes to get them converted because it was their responsibility. Mr. McLaine stated how they were fighting with PPL every day. He stated how MEM was fighting PPL so the Borough would not have to pay them what they were not responsible to pay them for.

Councilwoman Walck stated how Mr. Kearns had stated earlier that if the Borough would send an invoice to MEM, it would be paid. She stated that unless she misunderstood, MEM would reimburse the Borough for the \$13,000. Mr. Kearns stated how if one thing happens then the other thing will happen and if the first part was not done, how could the second part be done? He stated how until that night that was the first he understood how the bank was paid and the loan was still in place. He stated how there was no disclosure on that. Mr. Kearns stated that the last he had known, the Borough was not going to make a payment and they were on their own to finish it. Secretary/Treasurer Ahner stated how they were not going to make a payment but they also did not have the funds if they called in the entire loan. She stated how they made a payment.

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Secretary/Treasurer Ahner stated how it was now after September 1st and they were now over two months in default again. She stated how they might be pulling in the loan, but she had not heard from them. Mr. Kearns stated how he would like to put it back on the rails. He stated how he did not know that the Borough still had the borrowing and he had compliant billing to be able to migrate (draw it) to the lower account. Mr. Kearns stated that if what they were looking for says; in the absence of any payments whatsoever, the Borough did not pay him so he did not repay the Borough and the Borough was asking if he was going to pay them back. He stated that at some point they just have to be . . . the Borough was looking at invoices that came after the invoice that was presented to say whether or not they were going to reimburse the interest. He stated about a hold back or position something different.

Mr. Kearns stated how they still have money that they had to advance against the project. He stated how the Council's distaste for it was when they were transparent and said how obviously the biggest need was that they were done with their work and they do not have to pay contractor A as their biggest issue. He stated how his biggest issue was making sure the Borough did not exceed their cap payment from the same payment the Borough had. Mr. Kearns stated how it was not new, they were not asking for more money. He stated how they were just asking for the draw down of what happened. He stated that if Council would approve the drawdown, which was what they were supposed to do based on the activities, then the loan would be brought current and the Borough would have any kind of reimbursement they needed beyond the cap payment would be reimbursed. Mr. Kearns stated how the Borough pulled back and then said how we were supposed to get . . . He stated how they had no other options other than to say how they had to finish that one faster than anybody else because they not only have to finish it but when he was finished with them, they had to work with them to refinance the original debt payment so the Borough would have the money to pay them on the tail end. He stated how that was not the first time it happened. Mr. Kearns stated how the city of Hazleton spent down \$500,000.00 in capital money on police cars and fire trucks and did not have the money when they went to close. He stated how they, at the least, know that the Borough's money was still sitting in a draw account at the bank. Mr. McLaine stated how they were under the understanding that they did not do that. He stated how they had not stopped working because under the contract they have the responsibility to convert the Borough. He stated how they were still doing what they had to do to get the Borough converted, working with lawyers and dealing with PPL.

Secretary/Treasurer Ahner stated how they had stopped all communications after that weekend. She stated that she did not know how much they had talked to Solicitor Yurchak after that weekend because he had gone on vacation and she was on vacation. Mr. Kearns stated how it was gone and until they physically sat with Council to explain where they were and work something out, it was going nowhere.

Secretary/Treasurer Ahner stated how she was still under the impression that even if they would have made the payment, what was going to happen was that they were going to draw down off the loan to repay it. She stated how that was still a drawdown off the loan to pay on the loan. Secretary/Treasurer Ahner stated how that was like taking a credit card to a MAC machine, withdrawing cash and going into Bank of America to pay on that credit card. She stated how it did not make any sense.

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Mr. McLaine stated how it might have looked like that but it just so happened that the invoice came just as the interest was due. Secretary/Treasurer Ahner stated how it was two months over due and if she would have known back when it was due to pay it and submit an invoice to MEM for reimbursement. She stated how MEM had been paying it all along. She stated how every time she got a late invoice, she would make a call and would be told that it was taken care of. Secretary/Treasurer Ahner stated that when she had talked to Frank, Frank had told her that he had talked to MEM and they were going to be sending a payment and they never received it. Councilman DiMiceli stated how he was still looking at something dated July 29th where MEM was taking credit \$13,218.00 and that was the payment the Borough made themselves. Mr. Kearns stated how that was after that. Secretary/Treasurer Ahner stated how the Borough made a payment by August 1st. Mr. Kearns stated how they had said how the Borough could just pay the invoice, which was option A. He stated that option B was how did they know if they would give them that, that the bank would get it, so option B they would print out another one and give the Borough credit for it so if they wanted to run someone down to the bank and pay it the proceeds were the Borough's, it was a qualified draw so he had to give the Borough an invoice. He stated how all else they will see if council wanted to approve it.

Mr. Kearns stated how the issue he had, just so they have the general idea where his frustrations were, he was trying to be transparent to them that it was fully anticipated from the first sheet from the first FA to every transaction that they did, that the Borough still had the PPL bill and they have an interest payment so the Borough was going to go over. He stated how they capitalized on that and they identified a project. He stated how they came forth with the project and they said how they would pay for that as part of the project and if it does not come back the Borough does not lose money. Mr. Kearns stated how MEM will lose money. He stated that if they do not get the refund from PPL and he does not get the Borough to sign the informal complaint, which was when he looked bad because he cannot recover that. Mr. Kearns stated how the Borough's deal was that they had a cap project, cap payments, and a long term maintenance contract that gives them the safety net. He stated how each one of those three they plan on keeping.

Mr. Kearns stated how he did not know that the Borough still had the loan. Secretary/Treasurer Ahner stated how she was not even talking about the August 1st payment. She stated how that was 2 months late. She stated how they should have been back on May 31st making a payment and submitting an invoice to MEM for a reimbursement. Secretary/Treasurer Ahner stated how she knew nothing about that on May 31st when they had stated saying how the loan was late.

Councilman Zabroski stated how MEM initially fronted the first \$13,000.00 for the first payment and from thereafter the Borough was supposed to submit an invoice for \$13,000.00, which would have made them a month a head. He asked what happened, something that simple, how did they get 2 months behind. Councilman Zabroski stated how they received the initial \$13,000.00 and every month after that they were supposed to submit an invoice but they were always a month ahead. He asked how they fell three months behind. Mr. Kearns stated about now or back in July. Councilman Zabroski stated about right there, right now. Mr. Kearns stated how he did not even know that the Borough made the payment. President Stromelo stated how the bank said how they were contacting MEM and MEM was not responding to them. Mr. McLaine stated how they cannot pay the bank directly. He stated that they did that and that was a problem

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Secretary/Treasurer Ahner stated how from the beginning the Borough was not going to be issuing any money except to PPL not even as a reimbursement until the streetlights were the Borough's and that was when everything would turn. She stated how that was what she was fully aware of what they were doing. She stated that she did not know that the Borough was supposed to be paying the bank and getting reimbursed. Councilwoman Walck stated how she remembered the gentlemen sitting there and telling them that the Borough did not have to do anything that they will take care of everything. Secretary/Treasurer Ahner asked why it was not explained to her when they got the first late notice. Mr. Kearns stated how they tried to be a little too accommodating. Secretary/Treasurer Ahner stated that if they had paid ahead, they ended up being late. Mr. McLaine stated that if they did not have that problem with PPL, they would not be talking about it.

Councilman DiMiceli stated how there were two issues that they should be getting reimbursed for, after the PUC and PPL and everybody signs off on it. He stated about what they were still paying PPL for the armature and the lights. Secretary/Treasurer Ahner stated how they were not paying PPL. Councilman DiMiceli stated about the rate fee difference. Mr. Kearns stated about the easiest audit trail and what it said in the agreement, if all else fails look at the documents not the minutes, and if they would look at the documents it said how they were only supposed to pay X dollars in cap payments. He stated that when the Borough writes a check to PPL and they copy the bill, MEM's accountants put that as the tracking against the cap payment. He stated how there was the bill and there was the payment and how that was part of the cap; it was qualified. He stated that with the interest payment they added at the end of the quarter, the Borough paid more than their cap, pay them. Mr. Kearns stated how that was how it was supposed to work and that was what it said in the agreement. Councilman Zabroski stated how what they need to do was submit to MEM the Borough's PPL payments and an invoice for the monthly payment or the quarterly payment for the loan and everything would be reimbursed. Mr. Kearns stated "yes". Mr. McLaine stated about the PPL bills.

Councilman Zabroski stated how that was what Mr. Kearns had just said. Mr. Kearns stated about over the cap. Councilman Zabroski agreed with the over the cap. Mr. Kearns stated how once the Borough spends what they were supposed to spend, MEM was supposed to spend everything else. He stated that once the Borough pays what it was that they were supposed to pay, MEM pays everything else. Mr. Kearns stated that the only thing that will file off of that, because the Borough was playing with commodities; (your light my light, your supplier my supplier); the commodities savings the Borough has; the accountant will say that it was figured at that amount for that commodity and the Borough's savings were now theirs for the commodities. He stated that if they were able to do a little more savings that was the Borough savings not his savings not part of the cap.

Councilman DiMiceli asked about his question. Mr. Kearns stated how he was asking whether or not MEM owes the Borough the differential for the difference between the rates as a refund. He stated that he did not owe the Borough anything more than the cap. He stated how that was the official answer. Mr. Kearns stated that if he would get a refund from the utility, it would go to the Borough not MEM. He stated that any money they put into the refund goes into the Cost Savings Reimbursement Account. Mr. Kearns stated how they pay the Borough and they were supposed to hold that as restricted in the account.

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Mr. Kearns stated that in the agreement and all of the discussions say that he was allowed to reimburse himself for expenses that were related to that. He stated that he had paid out for the interest. Councilman DiMiceli asked if they should go back to the very beginning when they signed it. Councilwoman Fox asked when it started. She asked since when should they have been submitting copies of their PPL bills to see if it was over the cap. Mr. Kearns stated "March of 2009". Councilman DiMiceli stated how they should be submitting copies of the bills that they had from that date on to MEM. Secretary/Treasurer Ahner stated how they did not pay the interest on the loan; MEM was paying the interest on the loan. Mr. Kearns stated how that meant they already had, which was why they were having problems with their accountant. He stated that if he would keep paying it, when he gets the refund for last August, he will be arguing with the Borough to get reimbursed interest that they paid. He stated that he was entitled to just the money that he spent. He stated how it would not all be his, just the money that he had incurred to get the Borough to where they were at so they did not spend more. He stated how the rest of the money was for the Borough to put the park poles up and the photo sensors.

Mr. Kearns stated that if there was a refund in there and it was restricted for electrical lighting purposes, it was the Borough's money not MEM's money. Councilwoman Fox asked that of right now at that point, was the Borough still paying PPL for the rental of the lights. Mr. Kearns stated how they were still paying them for everything. Secretary/Treasurer Ahner stated how they were still paying the full . . . Councilwoman Fox stated to Mr. Kearns that he had said that as of August 19th, they had submitted an intent to purchase. Mr. Kearns stated how that was last August (2009). He stated how they have met the requirements. President Stromelo stated how it still had not changed. Councilwoman Fox stated that from last August, from March until August . . . Councilman DiMiceli stated how they should get a refund from that. He stated how that was what he had asked before, on how they should get a refund . . . Mr. Kearns stated how they should get a refund and it will go into the Borough's cost savings and anything the Borough spent or anything that MEM spent above the cap the Borough could repay themselves or they could repay MEM. He stated that everything else was their money. Secretary/Treasurer Ahner stated how when Mr. Kearns said how when it goes into the account it goes into the MEM account not the Borough's checking accounts. Mr. Kearns stated how it goes into the Borough's bookkeeping account. He stated how the Borough does not have a sinking fund. He stated how the Borough has a fund balance that was managed by MEM. Mr. Kearns stated how the fund balance, although it has real money in it now when it gets a refund, was the Borough's account. Secretary/Treasurer Ahner stated how it was not their account at Jim Thorpe National Bank that she could write a check out of. Mr. Kearns stated about it being in their General Fund and how they could write a check to it. He stated how all he was saying was that the Borough would write him enough checks for that and keep track of the fact, the Borough will not be able to use as much money as what they were going to be getting in a refund if it would go all the way back to August 2009. Councilman DiMiceli stated that he would not bet on that. Mr. Kearns stated how it was 70% of the project which would be about \$72,000.00.

Councilman Zabroski stated how he wanted to get everything straight. He stated how it was a turn-key project, which cost so much money. Secretary/Treasurer Ahner stated how it was around \$421,000.00. Mr. Kearns stated about \$485,000.00. Councilman Zabroski stated how Mr. Kearns was saying how there was no actual invoice. He stated how the whole project was going to cost that amount and they were done.

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Councilman Zabroski stated how the Borough was up to code and where they needed to be with PPL and PPL was the one who was delaying it for whatever reason. He stated about the work that was done and how it was on the system. Councilman Zabroski asked if it was in a computer system. Mr. Kearns stated how it was a web based platform. He stated how once he would give the Borough the log in and training. Councilman Zabroski stated how they can look at all of Nesquehoning and say . . . Mr. Kearns stated how PPL had to look at it last August. Councilman Zabroski stated how they can look at the pole and see how it was updated on a certain date by that person. Secretary/Treasurer Ahner stated how she can do some of that.

Councilman Zabroski stated how all of the big part was done, all the work, all the labor was done. He stated how turn-key means it was all done and that was as of August 2009. Mr. Kearns stated how they cannot give the Borough an invoice until the Borough was on performance against their rate. He stated that until the Borough goes to their rate . . . Councilman Zabroski stated how he understood that part and the turn-key work was completed on August 2009. Mr. Kearns stated how the work was completed. Councilman Zabroski stated how it was then submitted to PPL for their approval and their blessing to turn it over to the Borough. He stated how that was still being delayed. Mr. Kearns stated how the documents have gone back and forth at one point and now they want to change documents. Councilman Zabroski stated how that was where they were at right now. He stated how they should receive a refund for that. Mr. Kearns stated how there was a cooperative effort that MEM was working with PPL to resolve the matter to get it converted as quickly as possible. He stated how there was no threat of a formal complaint or otherwise. Councilman Zabroski stated how he was just trying to get a time line. He asked when they had to start making payments to the bank. Secretary/Treasurer Ahner stated that the way she now understood, from the beginning. Councilman Zabroski stated how they have been making 13 months of payments. Mr. Kearns stated how they did. Councilman Zabroski stated how MEM has been making on the Borough's behalf since August 2009. Councilwoman Fox stated how they had stopped. Mr. Kearns stated how nobody approved their agreements and nobody approved their invoices, what was he supposed to do. Secretary/Treasurer Ahner stated how they were talking May 31st and as of June 30th they were a month late. She stated how as of July 31st they were two months late. Mr. Kearns stated how June documents were out and all she had to do was to execute and start looking back. Secretary/Treasurer Ahner stated how she did not have them. Councilman Zabroski stated how that might be the problem where the cloudy area came in. He stated about putting everything on a time line.

Councilman Zabroski stated that if they had been paying for over a year, or MEM had been paying on the Borough's behalf for over a year, something happened somewhere that now they were three months behind. Mr. McLaine stated about letters that the Borough received from PPL. Mr. Kearns stated about the getting the signed agreement and some other paperwork and he did not receive it. Mr. McLaine stated how what they have done with many municipalities before and they have been anticipating meetings with PPL. He stated about taking several months to get a meeting with them. Mr. Kearns stated that for the record, they went through an exercise that they woke up one morning and decided to update their 2000 specifications as if there were new National Electric Safety Codes. He stated how they did it from October 2009 to December of 2009 without anybody looking at it. He stated that from December 2009 to March 2010 was when they issued them with the new rate. He stated how the last code reference was 2007. He stated how they were still only updating it in 2010 for something that happened in 2007.

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Mr. McLaine stated that every corporation that they have done so far, and they were probably really the only one who was doing them because they have never really dealt with that themselves, they have gotten consultants to do some and municipalities. He stated that every conversion they have done so far, in the agreement of the conversion with the PUC and PPL, it states about the National Electric Safety Code. He stated that back a year ago when they had started sending the letters out, which stated about waiting a minute they had to meet their 610, 165 and they stated evaluating things telling them how it did not meet that. He stated how they have been fighting with them for 7 – 8 months. He stated how it was the National Electric Safety Code because that was where the conversion had been set. Mr. McLaine stated how they had finally agreed to it and then they started modifying their code. He stated how they were still not in compliance but they did bring most of it compliant with the National Electric Safety Code.

Mr. McLaine stated how that was round one. He stated how they then told them how they were not going to use the same conversion document. He stated how they had the conversion documents ready for every municipality. Mr. McLaine stated how they were the same ones that were used for the first 11, Scranton, Wilkes-Barre, Williamsport, and South Williamsport. He stated how they were not going to use that document anymore. Mr. McLaine stated how they replaced the one representative a young gentleman who they were working very closely with. He stated how a few months later they replaced another person. He stated how they have been banging their heads against the wall. He stated how time was killing them. Councilman Zabroski stated how that was being taken care of. Councilman DiMiceli asked how long it was going to take for it to be resolved. Mr. Kearns stated about 60-90 days. Mr. McLaine stated how their target was 60 days. Councilman Zabroski stated how that part was going to be taken care of in 60-90 days of actually taking ownership of the whole project. He stated how the second issue seemed to be for payment. Mr. Kearns stated about the reimbursement. Councilman Zabroski stated that from May 2010 or June of 2010 . . . Mr. Kearns stated how they were going to coordinate that anything the Borough paid in excess of the cap payment will be reimbursed.

Councilman DiMiceli stated to Secretary/Treasurer Ahner about getting everything together that the Borough has paid since March 2009 and let MEM sort out what the Borough had paid over the cap payment. Mr. Kearns stated how if they were also on the reimbursement thing, they were now going to be horse trading dollars that they were now getting reimbursed for, for new current loans so they can resubmit the ones because they were over 60 days late again. He stated how they were going to have to do it fast so he was reimbursing the Borough . . . Councilman Zabroski stated about breaking it down as simple as possible. Councilman DiMiceli stated that if MEM owes the Borough \$20,000.00 above the cap and the Borough was two months behind at \$13,000.00 a month. Mr. Kearns stated how they were not \$13,000.00 a month. He stated how there were two things that they had to keep in mind. He stated how he did not draw down \$147,000.00 and only Jim Thorpe Bank was advertising as if they had fully amortized the entire loan for the year. He stated how he was paying principle on money he did not get advanced. Mr. Kearns stated how they were only in it at \$285,000.00 of a loan balance; yet it has been calculated as if the Borough had taken all of it. Councilman DiMiceli stated how he was looking at a statement from Jim Thorpe National Bank that said how there was principle due \$7,000.00 and interest due \$6,218.00, which was \$13,218.00. Mr. Kearns stated how that was not per month. He stated how that was what was totally due as of that day. Councilman DiMiceli stated how it was per month. Mr. Kearns stated how they were on the full amortization schedule.

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Councilwoman Fox asked if they were not just paying the interest anymore and if they were also paying on the loan. Councilman DiMiceli stated how there was no late charge. He stated how it was just a one month statement for \$13,218.00. Mr. Kearns stated how the Borough's annual cost with debt service and all interest if they would fully advance the loan was less than \$32,000.00. He stated how there was no way it was \$13,000.00 a month when the total debt service for the whole annual basis \$34,000.00. He stated how he would call Frank Wolman the next day.

Councilman Hawk asked Mr. Kearns as of that moment, was there a payment that the Borough owed MEM, that they had contractually agreed to, that was anticipated, that they have not made to them yet. Mr. Kearns stated "yes". Councilman Hawk stated how from that point on the Borough was going to be responsible for paying the loan interest. Secretary/Treasurer Ahner stated "yes". Mr. Kearns stated that the Borough will pay it and MEM will reimburse it. Councilman Hawk stated how the Borough was going to pay it and tell MEM when we have paid it. Mr. Kearns stated about copies of the payment. He stated how they were going to go back and catch up. Councilman DiMiceli stated how they were going to go back to March 2009. Mr. Kearns stated that if the Borough was over the cap, then they will get a payment. Councilman Hawk stated how they were going to turn in all of the past history and if they were over the cap, then the Borough would be reimbursed. Councilwoman Fox stated about when everything goes through. Councilman DiMiceli stated about Secretary/Treasurer Ahner getting MEM a copy of the bills from March 2009 until that point and the Borough has paid over the cap, MEM will reimburse them what was over the cap. Councilwoman Fox asked if they had to wait until the deal goes through with PPL. Mr. Kearns stated "no".

Councilman Zabroski asked what the outstanding amount that was contractually due to MEM. Mr. Kearns stated how they billed \$110,000.00. He stated how it was \$147,000.00 actually. Councilman DiMiceli stated that he thought that it was \$104,000.00. Councilwoman Fox asked Mr. Kearns if they owed him \$110,000.00. Mr. Kearns stated how it was from the draws that they already set aside at the bank. Councilman Hawk stated how they will have to square up their interest yet with the bank. He stated how that will have to become current again as well. Mr. Kearns stated how he did care and the reason he had currier in the emails was that he did not care which way they wanted to do it but if he was picking up a check, he could drop off their check. He stated how that was kind of how they did it on the other ones. Councilman Hawk stated that if they pay MEM and pay the bank to square up to the interest then MEM was going to reimburse them for the interest. Mr. Kearns stated that how ever long it would take Mr. Wolman let the check go from the bank and whatever day the check clears their account the Borough will have their money back.

Councilman Hawk stated that just so they were clear, the Borough was going to pay the interest to the bank and copy MEM on the bill. Mr. Kearns stated that anytime the Borough goes over their cap. Secretary/Treasurer Ahner asked what the cap payment was. Mr. Kearns stated that for 2010 it was \$72,780.00. He pointed out the figures on the paper and stated about the PPL charges, which were regulated with the old rate, in there for the commodity was \$19,000.00; the maintenance once they finally get it into the transition; that was what was identified as the debt service. Mr. Kearns stated that if they would go to the actual loan amortization schedule, look at all the principle and interest, it will total less than that.

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Secretary/Treasurer Ahner stated that the cap payment for the year was \$72,000.00. Mr. Kearns stated how it would be adjusted for rate increases that effect PPL, which was the \$19,000.00, the commodity, which they identified as the open fuel, and everything else was the Boroughs. He stated how he did not get his \$13,500.00 until they were on maintenance.

Mr. McLaine stated how he had heard some issues as to what MEM had really done. He stated how they would like to come down with the GIS man and give them an idea what it was so they could get some sense as to what they really did. Mr. McLaine stated that from their prospective it was very impressive. He stated how everybody they have introduced it to, all the municipalities, thought that it was very impressive. Mr. Kearns stated how the Borough should use it and how it was very useful. He stated how if someone would come to the Borough with an address, the Borough could use it as a GIS and click through. Secretary/Treasurer Ahner stated how she had a gentleman come into the office that day and they reported the light was out two months ago. She asked who she was supposed to be reporting it to. Mr. Kearns stated how it will still come to MEM. He stated how it was probably a power supply issue. Mr. Kearns stated how once they fuse a light, three things happen. He stated how they stabilize the conditions beyond the fuse. He stated that if PPL would have a power surge that just suddenly happen, it will pop the fuse. He stated that if it was a real surge it will pop the ballast. Mr. Kearns stated how they will go out and say how it was a bad fuse and put a new fuse in, replace the ballast, put the photocell on, check the light and leave. He stated how the surge of the system works when the lights were on at night not when they place a cup over the photo controller. He stated how they have stopped continually putting . . . He stated how it would do the same thing if they would put a brand new head on. Mr. McLaine stated about hearing back . . . Secretary/Treasurer Ahner stated how that was the other thing, when she goes into the system to report a streetlight out, it asked for an email address, who was submitting it and what the problem was. She stated that she thought that she was supposed to receive an email confirmation when it was fixed. Mr. McLaine stated that she should. Secretary/Treasurer Ahner stated how she has never gotten a single one. Mr. Kearns stated that they were on no maintenance; the way they should be on maintenance because they were not getting paid the \$13,500.00 and nothing will kick in. He stated how the Borough was not on the monthly fee stuff. Mr. McLaine stated how the power supply falls back on PPL and they were not always the quickest getting out there.

Secretary/Treasurer Ahner stated that they had a woman call PPL to fix a light and they were there the next day to fix it. President Stromelo stated how PPL comes to fix a light right away. Mr. Kearns stated that he knows the light they were talking about and they have an insurance claim on it. Secretary/Treasurer Ahner asked "which one?" Mr. Kearns stated how Nesquehoning had four.

Mr. Kearns stated that anything that goes around them, PPL will go out and cut the fuse out; put a brand new photo eye on it. He stated that they will spend all day on it and bill MEM for it. He stated how they were sitting on their money. Secretary/Treasurer Ahner stated how it was entered into the system three times. Mr. McLaine stated how they could probably improve their communications. Secretary/Treasurer Ahner stated how that light was on Mermon Avenue by the railroad tracks. Mr. McLaine stated how they could let the Borough know what was going on with them.

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President Stromelo stated that if it was reported out, just like the one that was out for three months, and he reported it to MEM. He stated how MEM takes a little bit of time notifying PPL but it should not have taken 2½ months to get there. Mr. Kearns stated how it should not have taken them 2½ months. President Stromelo stated how there was one out on Catawissa Street that he had called in and nothing was done for almost 2 months. Councilwoman Fox stated how they were missing something with the communications. Mr. Kearns stated how they could get better but when they were events that were out of their control, like a power supply issue, they could get better at communicating those issues. Mr. Kearns stated how their guys were called to do crimp-ons, which if it was a service lead they can replace the service lead, but if it was a transformer, ballast or if it was something that they have with false, shorts or bad grounds, they cannot. Councilwoman Walck stated that in the case like that, MEM could notify the Borough. Mr. Kearns stated how it will come up in the Slout that when they type in the address a pdf will come up with a photograph and it will give all of the information as to when they were at the pole and if and when PPL was notified. He stated how it gets way to complex for normal users.

Mr. McLaine stated how there was one thing that he wanted to make sure that they understood that night. He stated that when they say that they were done, they were done with all of the make ready work that they were allowed to do. He stated that it was almost everything in Nesquehoning. Mr. McLaine stated how there were some things out there that they just were not able to do. He stated that what they do for Nesquehoning was how they evaluate it and say how it was a pre-existing condition. He stated how PPL has to fix it at their cost. Mr. McLaine stated how there were a few things that they have to work with PPL to get done. He stated how they do not want to pay PPL anymore than what they were entitled. Mr. McLaine stated that if it was a code violation before they even looked at it, they fight PPL and tell them how it was their problem not the Borough of Nesquehoning's problem.

President Stromelo stated how he was just reading the agreement from PPL and there was something in there about wrapping the lights with black and yellow tape. He asked who does that. Mr. Kearns stated that they do. He stated that they were not all wrapped yet. He stated how it also said that they provide. Mr. Kearns stated how President Stromelo was looking at the specifications. He stated that PPL supplies the tape but it does not last. Mr. McLaine stated how they have the same issue that the tape does not hold.

Mr. McLaine stated how they have also had situations where PPL would get called out to do something and they were taking the tags and the fuses off. He stated how they were putting them on one month and the next month PPL was up pulling them off.

Mr. Kearns stated that they could probably quickly get to the paperwork and to the resolution and the financial things that affect the Borough immediately. President Stromelo stated how he thought that a lot of it was miscommunication. He stated about how things were dragging on with PPL. Mr. Kearns asked when their next meeting was. Secretary/Treasurer Ahner stated how it would be September 22, 2010. Mr. Kearns stated about attending the meeting just in case Solicitor Yurchak would have some questions.

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Councilwoman Fox stated how no other work could be done until it would all go through with PPL. Mr. Kearns stated how there was always work being done. Councilwoman Fox stated about the issue with the Christmas lights. Mr. Kearns stated how they might come to a more reasonable swapping out of the photo controllers than the \$8,000.00 wish list. He stated how he felt that they could come to terms pretty quickly. President Stromelo stated how they just wanted to update what was there rather because many of them do not work. Councilwoman Fox stated how they would match what they have. Mr. Kearns stated how he was talking about sensors that would not cost the Borough in lease or rentals.

Councilman Hawk moved and Councilman Zabroski seconded to pay MEM what they were contractually obligated to pay them at that point, to pay the bank loan to get it current on the interest payment, and to submit the documentation to MEM to figure out if the Borough had gone over the cap payment from March 2009 until present.

Councilwoman Fox asked if the payment was the \$110,000.00. Mr. Kearns stated "yes".

All voted yes. Motion passed.

Secretary/Treasurer Ahner asked Mr. Kearns if he was going to get in touch with Mr. Wolman at the Jim Thorpe National Bank to get the correct schedule. Mr. Kearns stated how he would get the correct amortization schedule and he will recap anything and coordinate with her over the next week. He stated how they will come down on Wednesday to make sure that they have all of the copies of the bills and the statement. He stated that as soon as they get the cost savings against the cap payment; they will distribute it to everybody to show them what the reimbursement was. He stated how they will present the check back to the Borough the following week.

Mr. McLaine stated how they actually have people in town because part of the thing with PPL was that they were going around photographing to go back and show them what they had done. He stated how they were in the process of trying to negotiate with them. Mr. McLaine stated how they would show them the photograph and tell them what was done. He stated how they could tell from a photograph as to what code issues they had. He stated how they have photograph before they did anything and they take photographs after they did the work. He stated how he thought that there was someone around town that day. Mr. Kearns stated about letting him know on availability in order to get the training done.

Councilman Hawk moved and Councilwoman Walck seconded to ratify the actions of President Stromelo to hire Jeff Wertman as a part-time as needed sanitation worker. All voted yes except Councilman DiMiceli who was not voting because his nephew was working on the sanitation truck. Motion passed.

Councilman Stromelo stated how they had talked about purchasing a new pick-up truck out of sanitation for the Borough. He stated about a bid from Costars program. Councilwoman Fox asked if it was through Costars. President Stromelo stated how it was through Costars, a pre-bid contract. He stated how they would buy it out of Sanitation and that way it was funded through the Sanitation fund and not through the taxes.

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Councilwoman Fox asked if they had talked to Mr. Paul to see what they might need as far as plow, etc. President Stromelo stated how Mr. Paul had told him that he was interested in a four-door cab truck with a utility body. Councilwoman Walck asked if that was the reason for the purchase because he requested it. President Stromelo stated how the Sanitation Department was willing to do that because two, three or four guys will be moving over to work on the streets on Thursday and Friday and will need some kind of a ride. Councilwoman Walck stated how Mr. Paul stated how he would have access to some very good equipment and trucks. She asked if it had to be right at that minute. President Stromelo stated how they had a problem that day with the transportation. Councilwoman Walck asked how often that happens. President Stromelo stated how it was going to be every Thursday and Friday. Councilwoman Walck stated how they were talking about \$60,000.00 because of what she read with the interest. Councilwoman Fox asked what problems did they have that day with the transportation. President Stromelo stated how Mr. Fox was driving the big dump truck around that day because they were painting the lines on Catawissa Street.

President Stromelo stated how the deal with Mr. Munoz's truck did not come to fruition. Councilwoman Walck and Councilwoman Fox asked where the sewer truck was. President Stromelo stated how Mr. Digilio had used the sewer truck to go to a workers compensation doctor's appointment. Councilwoman Walck stated how it should not have taken them all day. Councilwoman Fox asked how come he used the sewer truck. Councilman DiMiceli stated how they would have had to reimburse him for so much a mile because it was work related. Councilwoman Walck asked what they did before that. President Stromelo stated how they didn't have the three extra guys. Councilwoman Walck stated how they have to pick them up and drop them off. President Stromelo stated that they had to drop them off to where they were going to be working.

Councilwoman Fox asked when the other truck was coming in that they ordered. President Stromelo stated how Ford had not even picked it up yet. Councilwoman Walck asked that when they get the other truck, should that help with the transportation problems. President Stromelo stated how that was to replace the deteriorating small dump truck that they now have. He stated how it had four transmissions put in it. Councilwoman Fox stated how they were going to do away with the small dump truck. President Stromelo stated how they were going to use it until it was not feasible. He stated how it will just be an extra unit to plow with in the Winter. He stated how they only have three trucks to plow with in the Winter. Councilman Zabroski stated how the one truck was only two wheel drive and was useless in the snow. Councilwoman Fox stated about putting the chains on the truck. She stated how they spend more time fixing the chains than they do plowing the street. President Stromelo stated that it depends on how they drive it.

Councilwoman Walck stated how the truck was being used by Mr. Digilio but it was not going to be used every day. Councilman DiMiceli stated how the truck should be up at the Borough garage. Councilwoman Walck stated how they were talking about \$60,000.00. She stated how they just ordered a new one and she could not see, with the economy the way it was, they should have a reserve in the account. She stated how people might be slower in paying their bills. She stated how she could not see it at that time, when everyone else was cutting back.

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Councilman DiMiceli stated how they were number three or four in the County for recycling and they were doing it voluntarily. He stated that if the County would do away with the recycling program, they were going to have to pay for a lot more tonnage. Councilman DiMiceli stated that even if they would let them keep the bins, it was going to cost the Borough to have a contractor come in and empty them out. Secretary/Treasurer Ahner stated how she had talked to Mr. Dellecker and there was a plan of action that the Commissioners had approved, which will be coming through. He stated how there were other options that they could take and it was all spelled out in the plan of action. Secretary/Treasurer Ahner stated how the bins would be sold and the Borough will not be able to keep them. She stated that they will need a special truck and they will not find a contractor to pick up the material and use it as payment because it was not paying. She stated how they went from collecting \$140,000.00 worth of material down to \$22,000.00. Councilman DiMiceli stated how it was extra tonnage that they were going to have to pay for at the landfill.

Secretary/Treasurer Ahner stated that the other thing they had talked about was that the 3 – 4 major landfills within the area would be closed within 20 years. She stated that Hegins, where they go, will be closed in about 13 years. She stated how Pine Grove was closing at the end of that year. She stated how landfills were filling up very quickly. Secretary/Treasurer Ahner stated how they had proposed a Carbon County Waste Station in the plan of action and they would utilize the Packerton Yard. Councilman DiMiceli stated that either way they were going to be responsible for the extra tonnage. He stated how that would mean more trips to the landfill. He stated that he was agreeing with Councilwoman Walck to wait and see. Councilwoman Walck stated how it was just not the time to do it. Councilwoman Fox stated how they just purchased a garbage truck. Councilman DiMiceli stated how they have a new garbage truck and a new dump truck they have ordered.

Councilman DiMiceli stated about getting a slip in utility body for the pick up truck so they could carry the tools with them and would not always have to be loading the truck. President Stromelo stated how that was what it was. Councilman DiMiceli asked why they could not get one of those slip in units. Councilwoman Fox stated how there was one of those tool boxes for the back of the sewer truck. Councilman DiMiceli stated how he was talking about something bigger. He stated about using the bed of the truck. Councilwoman Walck stated how that sounded more affordable and feasible.

Councilman DiMiceli stated how they have not raised garbage in years. He stated how they have it at \$55.00 a month for garbage and sewage. He stated about seeing how many more trips they were going to be making to the landfill and how much more tonnage they were going to be getting. Councilman DiMiceli stated how they might have to raise the garbage rates for just that reason alone. Councilwoman Walck stated how the way she understood it, PennDOT had a good listing of second-hand trucks. She stated that when they put them up for bid or auction, they have a listing from day one as to the work that was done on the truck. She stated how they will do a complete inspection before it was even put out for sale. Councilwoman Walck stated how they could keep their eyes on something like that. President Stromelo stated how they were used and that was what they would be getting a used truck. Councilman Hawk stated that if they were getting rid of it, they were getting rid of it for a reason. Councilwoman Walck stated that they were not getting rid of it because it was not working right. She stated how they have a cycle that they follow. Councilwoman Fox stated how they get rid of them every so many years.

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President Stromelo stated how they get rid of them every 4 – 5 years for a reason. Councilman Hawk stated that they know how it was not going to last 6 years. Councilman DiMiceli stated that when they get rid of them, for the most part, they were not worth buying. He stated how they use to get rid of police cars when they hit 86,000 miles. He stated how they were not getting rid of them until 140,000 – 150,000 miles. Councilwoman Walck stated that if they were only using it to transport, use some other means of doing it rather than spending \$60,000.00.

Councilwoman Fox asked if the new garbage truck was ordered already. President Stromelo stated “yes”. Councilman DiMiceli stated how they would be okay with that one because the truck they have was paid and it would be like a continuation of payments. Councilwoman Walck stated about how they were buying the other truck. President Stromelo stated how the other truck was coming out of Liquid Fuels.

Councilwoman Fox stated about the funds with sanitation and if they would have to pay out a lot more for tonnage and trips with the recycling . . . She asked when the recycling was going to stop. President Stromelo stated that they do not know. He stated how it could go on for years yet. Secretary/Treasurer Ahner stated how they were anticipating getting into 2011.

President Stromelo stated how it was going to be the same thing with the Sewer Plant. He asked that with all of the operations they were bidding out for, did they think that they were going to pay the same rate the following year. He stated how it was not going to happen. Councilman Hawk stated how it was going to end up going up.

Councilwoman Walck stated how it was poor times and they should not just jump on it. She stated that if they only need it for transportation, she could not see spending that kind of money at that time. Councilwoman Fox stated how she was thinking about the people in town coming back to Council and saying how they bought a new garbage truck, they bought a new dump truck and now they were buying a new pick-up truck.

Councilman Hawk stated how they just negotiated a new contract and they have their sanitation workers working 2 days a week for the Borough, which was a big improvement over what they had before. He stated that if they were going to have to ferry workers around because they do not have enough trucks to do something, there was going to be a tremendous amount of time lost because somebody had to go pick somebody up or drop somebody off and that alone will make up for the cost of the truck. Mayor Walck stated how they were only talking about two sanitation workers. Councilman Hawk stated how it would eventually be three. He stated how they will have three guys and if they need them to work somewhere; they were going to pull somebody off of another job because they will have to go pick them up and take them somewhere. He stated how it would not make any sense. Councilwoman Walck stated how they have the sewage truck. Mayor Walck stated how they have three pick-up trucks and a dump truck. He stated that if they were out putting culverts in they were going to have the dump truck out and the backhoe.

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Councilman Zabroski asked if the sewer truck was only a cab truck. Councilwoman Fox sated “yes”. Councilman Zabroski stated how they were not going to get four guys in a cab truck. Councilwoman Fox stated how they would only get two in it. Councilman Zabroski stated how they had to think of it that way as well. Councilwoman Walck stated how it was not always that they were doing that. Councilman Zabroski stated how they will have three sanitation workers and a driver. He stated that he wants to see the Borough have the equipment that they need. Councilwoman Walck stated about giving it a try first before they jump into it. Councilwoman Walck asked if that was what they were going to need a crew cab. President Stromelo stated how that was what Mr. Paul requested coming on board that he would have a utility body truck that he was able to haul workers around wherever they need to. Councilwoman Walck asked if it was in the contract. President Stromelo stated that it was not in the contract. Councilman Zabroski stated how it was a request.

Councilwoman Fox stated how they will have 8 people out, including Mr. Paul. She stated how the sewer truck could fit two people and the green pick-up truck could fit two people in it. Mayor Walck stated how they could fit three people in the trucks. Councilwoman Walck stated that for a short distance to pick them up and drop them off. She stated how they were not going 20 – 30 miles. Councilwoman Fox stated how there was room for two in the red dump truck. Councilwoman Walck stated that she could not see spending that kind of money. Councilman DiMiceli stated how he felt that they had enough between the pick-up trucks and the small dump truck to get the guys where they need to go. He stated about getting Kovatch to fabricate a body for inside the bed of the pick-up truck or go to a company, like Reading Bodies, and slip them into the bed of the pick-up trucks so whatever tools would be needed could be put into the utility body of the pick-up trucks. He stated how it would be a lot cheaper and it would get them through a year. Councilman DiMiceli stated that if they would see an absolute need for it, then they will look at it. Councilman Zabroski asked why they could not just put the tools in the back of the pick-up truck. Councilman DiMiceli stated how they might want to keep some of the things in there all of the time. Councilman Zabroski stated that if they were not going to get a truck, then why spend the money on anything. Councilman DiMiceli stated about then why spend \$50,000.00 if they did not care if it carries tools or not. Councilman Zabroski stated how he did not say that he did not care if it carried tools but why spend money on an insert. Councilman DiMiceli stated that if they were buying the truck because of the utility body to carry tools around in, then get an insert for the pick-up truck. He stated how if that was not the issue, as far as keeping tools on the truck, then why spend \$50,000.00 to buy a four door truck with a utility body. He stated about just buying a pick-up truck for \$20,000.00 plus.

Councilman Zabroski stated how the trucks from the Sewer Plant might not be available every day. He stated how they might have a problem and need to use the truck. Councilwoman Walck asked how much longer were they going to have to wait for the dump truck. Councilman DiMiceli stated how there was one truck down at the Sewer Plant. He stated how they have been told how there should be a person down at the Sewer Plant all of the time during the day, so they would not need two trucks. Councilman DiMiceli stated that if Mr. Dementri was out and there was something that happened at a lift station, they should get him on the cell phone and let him go up to the lift station. He stated that if there was something that Mr. Digilio had to do then let . . .

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Thursday, September 2, 2010 at 5:00p.m., Borough Office

Councilman Zabroski stated how there were two trucks at the Sewer Plant. President Stromelo stated how there was, but they pulled one. Councilman Zabroski stated how they would still need a truck down at the Sewer Plant. Councilman DiMiceli stated how there was one. President Stromelo stated how there was one unless it would break. Councilman Zabroski stated how they need to look into it. He stated how he was not opposed to a truck because he thinks that they were going to need the equipment. He stated how they were going to be asking the Borough workers to do a lot more work and they should have the equipment. He stated how they have asked them to do stuff and they need to make the comment to give them the tools they need to get the job done. Councilman Hawk stated how they were asking Mr. Paul to do a job and that was one of the things he was asking for to get his job done. President Stromelo stated how they should see the amount of work that he had given him.

Councilman DiMiceli stated how an example would be that when he saw Daniel Staehle cutting grass with both the riding mower and a weed whacker in New Columbus. He stated how Mr. Staehle had the small dump truck with the trailer and had the lawn mower and the weed whacker on the trailer. He stated how they can hook up the trailer to the small dump truck because they do not need the pick-up truck for that. He stated how he drove the truck and parked it. Councilman DiMiceli stated how he used the dump truck and they were in town, not talking about a whole lot of miles. He stated how he got his job done by using the dump truck. Councilman Zabroski stated how he thought that they needed to make a move if they really needed it. President Stromelo stated that everybody's consensus was waiting to see what Mr. Paul could do. Councilman Hawk stated about seeing how the next couple of weeks go until the next Regular Council meeting.

Councilman Zabroski asked if they could use, because they had looked into buying a piece of equipment, tar buggy, the liquid fuels. President Stromelo stated how that was going to be used to pay for the dump truck. Councilman DiMiceli stated how he had talked to Mr. Paul about the tar buggy and he felt that it would be in the Borough's best interest to rent. Councilwoman Fox stated how PennDOT had the utility boxes, which were nice, but they were not going 20 miles to a job site where they will need to have those kinds of things in the truck. She stated that she does not know if they will really need . . . She stated how a crew cab was a good idea because it was a four door deal. She stated about a pick-up truck that they could put a salt thing in the back so they could salt while they were plowing. Councilman Zabroski stated about letting the dust settle and see where they were in a few weeks.

Mayor – COPS & SHOPS

Mayor Walck stated how he had received a request about paying the part-time officers time and a half when they were out with the Cops & Shops.

Councilman DiMiceli moved and Councilwoman Walck seconded to pay the part-time police officers time and a half when participating in the Cops & Shops. All voted yes. Motion passed.

Mayor Walck stated about Grace Kennedy being hired as a crossing guard. He stated how they had her application and they had received her criminal background and child abuse, which were clear.

Councilman DiMiceli moved and Councilwoman Walck seconded to hire Grace Kennedy as a crossing guard. All voted yes. Motion passed.

MINUTES FOR SPECIAL MEETING OF NESQUEHONING BOROUGH COUNCIL

Thursday, September 2, 2010 at 5:00p.m., Borough Office

Mr. Merman asked if they had ever thought about merging the Water Authority with the Council. He stated how they would have extra men and extra equipment. He stated how they should have done it a long time ago.

EXECUTIVE SESSION

Borough Council entered into an Executive Session at 7:06 p.m. for personnel and contract reasons. The Council Members exited their Executive Session at 8:09 p.m.

Councilman DiMiceli moved and Councilman Hawk seconded to allow the Engineer draw up the specifications for the Rehabilitation of Unit #3 based on the his recommendations. All voted yes. Motion passed.

ADJOURNMENT

Councilman DiMiceli moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:11 p.m.

RoniSue Ahner
Secretary/Treasurer