

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 22, 2010 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN HAWK, SNISCAK JR.; COUNCILWOMEN FOX, WALCK; PRESIDENT STROMELO; MAYOR WALCK; & SOLICITOR YURCHAK

President Stromelo called the meeting to order at 7:02 p.m.

Councilman DiMiceli was absent due to illness.

Councilman Zabroski and Chief Smith were absent.

President Stromelo stated how the Chief had a tree down on the Jim Thorpe road and he also had to train Officer Breiner on the cameras.

MINUTES: Approve the minutes from the Regular Meeting held on July 28, 2010.

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to approve the minutes from the Regular meeting held on July 28, 2010. All voted yes. Motion passed.

HEARING OF VISITORS

Harry Miller – 265 Stock Street – stated how he wanted Council to think about enacting an ordinance regarding the gas drilling that was going on. He stated how they should think about the drinking water supply. He stated that if they would start drilling up on the mountain, they knew what was going to happen to the water supply. Councilman Sniscak, Jr. stated about the way things were going with the legislation. He stated that they had several bills to regulate the gas industry (tax, easement & repair, etc). He stated how nothing was going to happen in Harrisburg until after the election. He stated that it was not feasible for them to do anything before Harrisburg because they do not know what they were going to pass. Mr. Miller stated how they could drill up on the mountain. Councilman Sniscak, Jr. stated how they could not. He stated how they could not drill on a watershed. He stated how in town 99% of the people do not own the mineral rights under their homes. He stated how they were owned by LC&N. He stated about the Clean Air & Water Acts. He stated how they were protected by the federal and the state.

George Sabol – 158 W. Padua Street – asked if there was going to be any discussion on the bid openings regarding the vacant lot in New Columbus. President Stromelo stated how it was listed under Streets

Tom Merman – 512 E. Center Street – stated how he would like to hear a report on the Borough Manager. He stated about assignments and salary. President Stromelo stated how he would get a report and he was a Supervisor, not a Manager. Mr. Merman asked if he was a working supervisor. Councilman Sniscak, Jr. stated “yes”. Mr. Merman asked if he was hourly or salary and if he was going to work on grants. President Stromelo stated that he was hourly. He would work on anything they ask him to and he will work on grants. Mr. Merman asked about the Code Officer. President Stromelo stated how she was hourly and she reports to the Mayor and the Chief.

Frank Jacobs – 244 W. Railroad Street – stated about a property that had received approval from Council for a curb cut permit which was located in the first block of W. Railroad Street and how they were usually parked on the sidewalk. He stated that he was told that the Zoning Officer approved it and nothing could be done. Mr. Jacobs asked when Zoning superseded the vehicle code. Councilman Sniscak stated how it did not. Solicitor Yurchak stated how they have an Ordinance that says a vehicle cannot block the sidewalk. Mr. Jacobs stated how they were parking on the sidewalk and people had to walk in the street to get around it.

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Councilman Sniscak, Jr. stated that if there was a curb cut permit issued, the people should have made sure there was going to be enough room to pull in and park without blocking the sidewalk. Mr. Jacobs stated how they were against the house. Councilman Sniscak, Jr. stated how they cannot block the sidewalk. Mr. Jacobs stated how there was only 8" from the back of the car to the curb. Councilman Sniscak, Jr. asked Mayor Walck to have the Code Enforcement go up and check it out. He stated how it was fine if they have a curb cut; but they could not park on the sidewalk. He stated that if they do not have enough room to pull in, it was not their problem and they should have thought about that before they cut the curb. Councilman Hawk stated that if they were going to enforce it on the individual they were talking about; he thought they should enforce it all over town. He stated that he knows how there were cars parked on sidewalks all over town. He stated that if they were doing it for one, they should be doing it for all.

Mayor Walck stated how he had received a complaint also. He asked if Carol Zickler should put something in the paper regarding the Sidewalk Ordinance. Councilman Sniscak, Jr. stated how Councilman Hawk was right and they should get it in the paper how they cannot block the sidewalk. Councilwoman Walck stated how they were going to start enforcing it. Mr. Jacobs stated about blocking the walkways. He stated how there was no sidewalk but there was a walkway. Mr. Merman stated how residents do not own the sidewalks but they were responsible to maintain them. He stated that if someone would block a sidewalk or a walkway, they were encroaching on the Borough property. Councilman Sniscak, Jr. stated how they will have to start enforcing it. He stated about giving warnings out first. Councilwoman Walck stated how they would like when people see these violations, that they report them to the office in writing. Councilwoman Fox stated that if Carol Zickler was going to put something in the paper that maybe she should put something about walkways instead of sidewalks. She stated that would cover the grass area.

POLICE REPORT

Chief Smith's report was placed in the communication folder.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to accept the Police Report. All voted yes. Motion passed.

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

- **Code Report for August – September**

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

- **Glenda L. McHose – Approval of Handicap Application**

Councilman Sniscak, Jr. moved and President Stromelo seconded to approve the handicap application for Glenda McHose at 113 E. Catawissa Street. All voted yes. Motion passed.

EXECUTIVE SESSION (if needed)

Borough Council entered into an Executive Session at 7:30 p.m. for personnel and contract reasons. The Council Members exited their Executive Session at 7:55 p.m.

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PLANNING COMMISSION REPORT

No report.

CIVIL SERVICE COMMISSION

No report.

PANTHER CREEK ADVISORY REPORT

No report.

ENGINEER'S REPORT

No report

SOLICITOR'S REPORT

- **Tree Ordinance – Borough of Walnutport**

Solicitor Yurchak stated how they had received a copy of the Tree Ordinance from Walnutport and asked if he should prepare a draft. President Stromelo stated “yes”.

- **Communications Policy Statement**

Solicitor Yurchak stated that he had some changes that had to be made with the Communications Policy. He handed a draft to Secretary/Treasurer Ahner to make copies for Council to review. He stated how it was in compliance with the state police guidelines on the Camera Policy.

Solicitor Yurchak stated how he had also received, in an e-mail, a Developer Agreement from the Solar Park people, who were in about a year ago. He stated how they had stated that they were going to do a Developer Agreement and they would get it to the Borough. Solicitor Yurchak stated how he had sent it to Ron Tirpak for his review and he received a whole package back from Ron Tirpak as to what had to be addressed before it could be approved. He handed Council a draft for their records.

Solicitor Yurchak stated how he received a letter from Attorney Matika requesting a meeting in regards to Hugh Lawrence. He stated how they have to have a meeting with Dennis Ball yet also. He stated about getting dates from Carl Faust.

Secretary/Treasurer Ahner stated about the Communications Policy. She stated to Solicitor Yurchak that he handed her the Camera Policy not the Communications policy. Solicitor Yurchak stated how he had to revise the Camera Policy from last month. Secretary/Treasurer Ahner stated how she would make copies of the Communications Policy for Council to review.

Mayor Walck stated to Secretary/Treasurer Ahner about getting in touch with Carl Faust as soon as possible to get the meetings scheduled. He stated how there were major issues with Hugh Lawrence’s property, since the fire, which need to be addressed.

President Stromelo stated about the property at 124 E. Columbus Avenue, Sher Khan’s property, the property where the oil was dumped. Mayor Walck stated how DEP had sent out letters but they were still dragging their feet.

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President Stromelo asked about the property at Garibaldi Avenue and . . . Mayor Walck stated “not a word”. He stated how he had failed the inspection from Mr. Faust and he had not done anything . . . President Stromelo stated how that had been going on over a year also. Mayor Walck stated how he was trying to say that he was finished; but he was not.

SUPERINTENDENT’S REPORT

Louis Paul stated that he wanted to let all of Council know how he does a daily project report, which will show total man-hours per job. He stated how they will have total man-hours for each job that they have done so far. Mr. Paul stated how he also has maintenance request forms for Council members. He stated how they should be filled out and he was making a list by priority. Mr. Paul stated how the report will go from meeting to meeting.

Mr. Paul gave his report:

- Building/Police – 180 hours
- Inlets/outlets Repair – 175 hours
- Line Painting – 60 hours
- Patching holes (hot patch) He stated how all the Water Authority street openings had been closed and when they get the sealing out, they will be sealing them as well as the boxes.
- Signs – 49 hours
- Grass Cutting – 36 hours
- Equipment Maintenance – 35 hours. He stated how it was also for washing the equipment.
- Flags - 23 hours
- Code Enforcement grass – 16 hours
- Building Maintenance/Main Office – 16 hours
- Building Maintenance/Garage – 12 hours
- Administrative & Meetings – 12 hours
- Lowe’s for supplies – 8 hours

Mr. Paul stated how the guys get split up; so one might be doing building maintenance while another was cutting grass. He stated how he might be doing line painting on Thursday & Friday because he can have all the guys for traffic control. Mr. Paul stated how he keeps a daily log but sewer and garbage was usually the same. He stated how he keeps in touch with Davey Digilio about any sewer problems or what he needs.

Mr. Paul stated how he will need to purchase some items. He stated how his priority job was the inlets on the New Columbus hill. He stated how he had taken pictures and had shown most of the Council members. Mr. Paul stated how on some inlets they cannot use a box because of a sewer line, water line or in the old time ones, there was a circle and the outlet was below it. He stated how the lines up there were all cement. Mr. Paul stated that when they did have to pour a box, they got a truck in from Forest Inn Masonry, which was 1 ¼ yards @ \$100.00 per yard plus \$100.00 small load fee. He stated that to pour a box with a cement truck plus the top comes to \$645.00. He stated to install a box with a top was \$715.00. He stated how a bag of cement was \$4.00 and for him to pour a box with bags, it would cost \$48.00 compared to \$200.00 if he would have a cement mixer. He stated that with the top, it comes to \$493.00.

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Mr. Paul stated how he would like to purchase a cement mixer. He stated that he had received three quotes. He stated that the lowest was from Forest Inn Masonry at \$2,250.00, which had an eight horsepower Honda motor. Mr. Paul stated that the other things he would need down the road were cement mixer was on the top of the list but he would also like a roller, a hilti gun and a ten ton floor jack. He stated how he would also like a camera. Mayor Walck stated about the throw away cameras.

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to accept all reports to that point (Planning – Superintendent). All voted yes. Motion passed.

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JIM THORPE NATIONAL BANK TREASURER'S REPORT

GENERAL FUND

Balance 07.31.10	266,468.82
Receipts	140,631.88
Expenditures	112,339.06
Balance 08.31.10	294,761.64

GENERAL SEWER CONSTRUCTION FUND

Balance 07.31.10	10,299.07
Receipts	4.37
Expenditures	.00
Balance 08.31.10	10,303.44

SPORTS COMPLEX FUND

Balance 07.31.10	5,322.55
Receipts	1,395.95
Expenditures	1,128.55
Balance 08.31.10	5,589.95

SANITATION ESCROW

Balance 07.31.10	124,415.92
Receipts	2,937.82
Expenditures	.00
Balance 08.31.10	127,353.74

DEBT SERVICE

Balance 07.31.10	1,930.79
Receipts	.82
Expenditures	.00
Balance 08.31.10	1,931.61

FIRE TRUCK FUND

Balance 07.31.10	118,869.54
Receipts	9,956.08
Expenditures	.00
Balance 08.31.10	128,825.62

CAPITAL PROJECT

Balance 07.31.10	52,489.64
Receipts	92.66
Expenditures	.00
Balance 08.31.10	52,582.30

SANITATION FUND

Balance 07.31.10	84,809.81
Receipts	84,594.85
Sewer	39,173.14
Expenditures	51,463.84
Balance 08.31.10	78,767.68

HIGHWAY FUND

Balance 07.31.10	135,469.58
Receipts	57.53
Expenditures	.00
Balance 08.31.10	135,527.11

PLANNING FUND

Balance 07.31.10	9,548.31
Receipts	2.84
Expenditures	.00
Balance 08.31.10	9,551.15

GENERAL SEWER FUND

Balance 07.31.10	47,469.79
Receipts	39,281.38
Expenditures	67,493.31
Balance 08.31.10	19,257.86

SEWER OPERATING & MAINTENANCE

Balance 07.31.10	31,125.38
Receipts	26,924.26
Expenditures	30,779.20
Balance 08.31.10	27,270.44

POLICE PENSION FUND

Balance 07.31.10	479,973.95
Receipts	2,004.90
Expenditures	7,015.50
Acct Depreciation	11,749.24
Balance 08.31.10	463,214.11

ACQUISITION & RENOVATION

Balance 07.30.10	2,095.11
Receipts	.89
Expenditure	.00
Balance 08.31.10	2,096.00

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CD REPORT

FUND	CURRENT VALUE 08.31.10	INTEREST 08.31.10	OPENING DATE	CURRENT RATE	RENEWAL DATE	BANK
PLANNING	\$ 15,448.54	\$ 32.73	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 363,908.78	\$ 771.06	08-20-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 13,664.09	\$ 28.95	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 106,226.52	\$ 126.16	06-04-10	1.40%	06-04-13	JTNB
DEBT SERVICE	\$ 18,427.61	\$ 33.43	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 20,399.23	\$ 37.01	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 9,998.56	\$ 18.14	06-22-09	2.14%	06-22-11	JTNB
GEN. SEWER	\$ 77,882.45	\$ 141.30	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,768.76	\$ 17.72	06-22-09	2.14%	06-22-11	JTNB

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

EMERGENCY MANAGEMENT REPORT

- 08.31.10 John McArdle – 2011 Budget

John McArdle stated how they had placed a burning ban on in Nesquehoning on September 8, 2010. He stated how it was due to the excessive dry weather they had. Mr. McArdle stated how a drought warning went into effect on September 16th. He stated how it affected Carbon County and it was the second phase, which was a voluntary reduction. He stated how it was 15% cooperation from individual/consumers of water conservation.

Mr. McArdle stated that on September 23rd, there was an open house at the Communications Center from 3:30-7:00 p.m. He stated how it was open to the public.

Mr. McArdle stated how he would like Council to consider a Smoke Detector Ordinance for the Borough concerning commercial and rental properties. He stated how he would like it to include a CO detector and that it would be a hard-wired smoke alarm system. He stated how it was already in the high-rise and the Nesquehoning School Apartments. Mr. McArdle stated how they might want to look into heat sensors for kitchen areas rather than smoke detectors. Mr. McArdle stated how the property across the street (127 W. Catawissa) had a mattress fire and what they found was how the smoke detectors were not functioning. He stated how the rest of the building had no idea what was going on other than the two apartments that were in the area. He stated how that was his concern because they wasted valuable time knocking on doors getting people out. He stated that if the people were not home where the fire occurred, it would have caused more destruction to the building. He stated how there were several buildings in town which have multiple tenants and how it was a concern. Councilman Sniscak, Jr. stated how he would take it up under Buildings.

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Councilman Hawk moved and Councilman Sniscak, Jr. seconded to ratify the actions of Councilman Zabroski of placing a burn ban on in the Borough of Nesquehoning. All voted yes. Motion passed.

MAYOR'S REPORT

- **Crime Watch Meeting**

Mayor Walck stated how the next Crime Watch meeting would be held on Monday, November 1, 2010 at 7:00 p.m.

- **Trick or Treat night**

Mayor Walck stated how he was going to hold off declaring Trick-or-Treat night because of getting mixed signals from all the other towns. He stated how he would like to have it on Thursday the 28th but he was not sure what Lansford was doing.

- **Bikers for Bynon**

Mayor Walck stated how he will need Council's permission to call out the Fire Police for the "Bikers for Bynon". He stated that Matt Bynon was a Police Officer from Tamaqua who was suffering from cancer. He stated how they were doing a motorcycle run, cars involved also. Mayor Walck stated how he had received the request from Denise Koons, who was running the event, to come through Nesquehoning. He stated how they were going to start at the FOP in Owl Creek, come up through Tamaqua, down Route 54 and end up at Lakeside on Sunday, September 26th with a start time of 1:00 p.m.

Councilwoman Walck moved and Councilman Sniscak, Jr. seconded to allow Mayor Walck to call out the Fire Police for traffic control for the "Bikers for Bynon". All voted yes. Motion passed.

- **Cameras installed**

Mayor Walck stated how the cameras were installed in two of the police cars and they were up and running.

Mayor Walck stated how he presented the Resolution and Proclamation to St. John the Baptist Russian Orthodox Church on Sunday, September 19, 2010 for their 75th Anniversary. He stated how he had also presented the Proclamation to the services for the Unity Community Service for 9-1-1.

Councilwoman Fox moved and Councilman Sniscak, Jr. seconded to accept the Emergency Management Report and the Mayor's Report.

Councilman Hawk asked Mayor Walck if they were going to do anything on the request from the Chief. Mayor Walck stated how he had taken care of Geisinger but he still had not gone to Allentown.

Councilman Hawk stated how Mayor Walck was taking care of it. Mayor Walck stated how they were being taken care of.

All voted yes. Motion passed.

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TAX COLLECTOR'S REPORT

01 August 2010 – 31 August 2010

Real Estate	\$2,162.16
Occupation	198.00
Per Capita	<u>176.00</u>
TOTAL	\$2,536.16

<u>EXEMPTION:</u>	Hailey Hoffman	Minor (age 4)
	Robert K. Armstead, Sr.	Non-resident

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to accept the Tax Collector's Report with the two exemptions. All voted yes. Motion passed.

COMMUNICATIONS:

1. 08.25.10 PSAB – Training Update – Act 44 of 2009
2. 08.27.10 PSAB – Training Update – Collecting Delinquent Municipal Fees
3. 08.29.10 Meed's United Methodist Church – Community Unity Service
4. 08.29.10 PSAB – Fall Leadership Conference
5. 08.30.10 PSAB – Update
6. 09.02.10 Cynthia S. Ray – St. Francis of Assisi Church v. Fauzio et al.
7. 09.02.10 Vincent Cotrone – Managing Municipal Stormwater
8. 09.03.10 Diversified Technology – Workshop Schedule
9. 09.07.10 CC Conservation District – Staff Changes
10. 09.07.10 DCED – Basic Training & Examination for Municipal Tax Collector Qualification
11. 09.07.10 Riley & Company – Getting value from your audit
12. 09.08.10 Lafayette College – Training program, Innovative Funding Opportunities
13. 09.09.10 Strubinger & Gazo – Macalush vs. Nesquehoning Borough
14. 09.13.10 DCED – Bookkeeping & Accounting Basics
15. 09.13.10 CC Department of Solid Waste – Solid waste management plan
16. 09.16.10 CC Conservation District – Tree clearing plan for soil infiltration Adequacy Review
17. 09.20.10 DCED – Managing Winter Road & Street Operations
18. 09.20.10 DEP – Surface Mining Permit
19. 09.20.10 Application for Township Road Occupancy Permit – move PPL poles

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

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BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

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

Mr. Jacobs asked about the Telco bill in the General Fund. Secretary/Treasurer Ahner stated how it was for the stoplight and how they were reimbursed fully for the cost from the insurance company. All voted yes. Motion passed.

COMMITTEE REPORTS

1. STREETS

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

- **09.21.10 Curb Cut Request – Jennifer Moretti, 251 E. Catawissa Street**

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to accept the curb cut permit for Jennifer Moretti at 251 E. Catawissa Street. All voted yes. Motion passed.

Secretary/Treasurer Ahner asked if they were going to have to do anything because they were on the State Highway. She asked if they had to get something through PennDOT as well. Councilman Sniscak, Jr. stated how the Borough gives them the approval but they have to go through PennDOT, too. President Stromelo stated how it will affect the parking at the driveway and the painting of the lines on either side of the driveway. He stated how it will take a lot of parking places away. Mr. Jacobs stated how it was 75'. President Stromelo stated about 75' in each direction. He stated how it will take a lot of parking spaces up. Councilwoman Fox asked if that was what the state was requiring. President Stromelo stated "yes". He stated how they should look to see because it was a cluster to park there. Councilwoman Fox asked if anyone had looked at it. Secretary/Treasurer Ahner stated how the Street Committee would look at it and come back to all of Council with a recommendation. President Stromelo called for a revote.

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to not accept the curb cut at that time until they had time for further review. All voted yes. Motion passed.

- **09.22.10 Property: Ratify to advertise for bids**

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to ratify the actions of the Council President to advertise for bids for the property located at 121-127 E. Columbus Avenue. All voted yes. Motion passed.

- **09.22.10 Open bids – results**

Secretary/Treasurer Ahner stated how they only received one bid from SQ Construction for \$13,000. President Stromelo repeated the bid. Solicitor Yurchak stated how they have to keep it in mind that the minimum bid was \$15,600. He stated how they would have to waive the minimum bid requirement. He stated that they could hold the bid if they wanted to. Councilwoman Fox asked if the \$15,600 was . . . Solicitor Yurchak stated how that was the minimum cost for the property. Secretary/Treasurer Ahner stated how it was several things added up.

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President Stromelo stated how it was the second month. Solicitor Yurchak stated how it was the only bid after two advertisings. Councilwoman Fox stated how she did not know if it was worth it to continue to advertise. Councilman Hawk stated that if they continue to advertise, it was only going to add more expenses. He stated how he did not see anything in the economy in the near future that was going to make it more desirable to anybody. He stated how they were going to end up sitting on it. President Stromelo stated how they have to keep cutting the grass.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to waive the minimum bid requirements.

Mr. Sabol stated how there was no indication to the public that it could be waived. He asked if it was common procedure that they would waive and go to a low bid when everything was posted for a minimum bid. Mr. Sabol stated how he would have been interested in going lower than \$15,600. He stated how he almost did the \$15,600 but he thought it was a little too much; but now he was hearing how it was being waived. He stated how that was not what was posted to the public. Mr. Sabol stated how he recommended that they table it and think about it or repost it. He stated how he would strongly consider putting a bid in for something lower. Councilwoman Fox asked about re-advertising with a lower . . . President Stromelo stated how it had already been advertised. Councilman Sniscak, Jr. stated how they had just announced the cost and they will be having everybody bidding lower. President Stromelo stated how they were not going to have a bidding war. He stated how he had two months and had the opportunity to place a bid whether it was lower or not. Mr. Sabol stated that the paper he received stated how the minimum bid was \$15,600 and now all of a sudden they were accepting something lower. Councilwoman Fox stated how he could have bid \$14,000. Mr. Sabol stated how he was under the assumption that the minimum bid was \$15,600. He stated how there was no use bidding if the minimum bid was \$15,600. Councilwoman Walck stated how they would have to re-advertise and take out the minimum. Councilman Sniscak, Jr. stated how they would make it an open bid with no minimum required.

All voted no. Motion failed.

Councilwoman Walck moved and Councilman Sniscak, Jr. seconded to re-advertise for bids for the property with no minimum bid requirements. All voted yes. Motion passed.

• 09.22.10 Snow Ordinance

President Stromelo stated how the Street Committee had met concerning the Snow Ordinance for the upcoming year. He stated how it was confusing the way it was. President Stromelo stated how they came up with no parking on the South side of the streets that run East and West and no parking on the West side of the streets that run North and South within the Borough during the snowstorm and the day after. Councilwoman Walck asked if there was a minimum of how much snow. President Stromelo stated "plowable". He stated how once the snow was cleared, they would be allowed to park there. Councilman Sniscak, Jr. stated how they were eliminating the times and if it was calling for snow, do not park on those sides of the street. President Stromelo stated how once the side was clean, they may move over.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to advertise the Snow Ordinance.

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Mr. Paul stated how they should not put the plowable in. Councilman Sniscak, Jr. stated that if it was calling for snow, they should not park on the side. Mr. McArdle asked about Coal Street. Councilwoman Fox asked if there were any other streets that will fall under that problem. Solicitor Yurchak stated how it has to be in the Ordinance. He stated how he could put in an exception for Coal Street. Councilwoman Walck stated how they were only going to make Coal Street as the exception.

All voted yes. Motion passed.

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to purchase the cement mixer from Forest Inn at a cost of \$2,250 plus \$150 for freight and the ten ton floor jack.

Councilwoman Fox asked Mr. Paul if he had gotten three prices. Mr. Paul stated how he did and they were \$3,169, \$2,980, \$2,250 plus \$150 for freight. Councilman Hawk asked Mr. Paul to get three prices before he purchased the jack also.

All voted yes. Motion passed.

Councilman Sniscak, Jr. stated he had a letter on a Funding Opportunities Seminar on grants.

Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to send Secretary/Treasurer Ahner to the training program on October 12, 2010 entitled "Innovative Funding Opportunity, Grant Tools for Local Governments" at a cost of \$30.00. All voted yes. Motion passed.

2. SEWER

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

- **Liquid Sludge Removal Bids**

Councilman Sniscak, Jr. read the bids for the liquid sludge:

Aqua Wastewater Management – 6.86 cents per gallon

Russell Reid Company – 9.47 cents per gallon

Biros Septic & Drain Cleaning – 6.97 cents per gallon

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to accept the bid from Aqua Wastewater Management. All voted yes. Motion passed.

- **Advertise Rehabilitation, Treatment Unit #3**

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to advertise for bids for the rehabilitation of Unit #3 at the sewer plant.

Mayor Walck asked if they had received a copy of the specifications from Mr. Tirpak. Secretary/Treasurer Ahner stated "no" and that all he did was fax over the advertisement. Councilwoman Fox asked about the air line. President Stromelo stated how it was to repair everything. Mayor Walck stated how Mr. Tirpak was supposed to have a copy of the specifications so they knew what they were doing. Secretary/Treasurer Ahner stated how they will get one in the office. Mayor Walck stated how he would like to see what the project entails. He stated how they should get a copy before it went out for bid. Councilman Hawk asked if they could approve the advertisement pending receipt of the specifications from the Engineer.

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Councilman Sniscak, Jr. and Councilwoman Fox seconded to amended their motion and second to include pending the receipt of the specifications. All voted yes. Motion passed.

Councilwoman Fox asked if the problem was taken care of at the lake. Councilman Sniscak, Jr. stated how it was taken care of and that they were still below what they were required to start with even though people were smelling stuff.

Councilman Sniscak, Jr. stated how they had to get a meeting scheduled with Mr. Tirpak in regards to the sewer rates. He stated how there were some other issues that they needed to discuss.

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

Councilman Sniscak, Jr. stated how he was proposing that the Solicitor draw up an ordinance on all rental properties. He stated how once a year all rental properties should be inspected. He stated how they all have to be hard-wired and have heat sensors. He stated how the inspection fee should be \$35-\$40 per unit. Councilman Sniscak, Jr. stated how the cities and towns have them and it was an example at 127 W. Catawissa Street. He stated that everyone who has a rental property will have to have the property inspected once a year. Councilwoman Fox asked if it was even for a single rental. Councilman Sniscak, Jr. stated how it was for rental of a house or half of a house. Mayor Walck stated how they will have to put in everything that they want inspected. Solicitor Yurchak stated how he had talked to John McArdle. President Stromelo stated about who was going to do it. Mr. McArdle stated about a CO detector, a smoke detector, a heat sensor, fire extinguishers; his suggestion would be that it would come under the Code Enforcement Officer. President Stromelo asked if it was in the NFPA 2008. Mr. McArdle stated how they would have to go to 2012 Life Safety Code. Secretary/Treasurer Ahner asked if they could do something like Lansford had. Solicitor Yurchak stated how they do inspections every three years or when it becomes vacant. Councilman Sniscak, Jr. stated how it should be once a year or every two years. Councilwoman Walck asked Solicitor Yurchak what he thought. Solicitor Yurchak stated how he thought once a year was too frequent. Councilman Sniscak, Jr. stated that as of January 2011, it would be once every two years. Mr. McArdle stated how there should be some kind of penalty. Solicitor Yurchak stated how he would draw something up.

Councilwoman Fox asked Louis Paul if he checked on the cameras at the Borough garage. Mr. Paul stated how he did not get a chance.

President Stromelo asked if there was anything on the painting project for the Borough office. Councilwoman Fox stated how Councilman DiMiceli had told her that there was someone in town a couple of years ago who had spray painted homes. She stated how he told her that they were not very expensive and he was going to try and find out who it was. Councilwoman Fox stated about bids for siding. Councilwoman Walck stated about waiting to see what Councilman DiMiceli comes up with. President Stromelo stated how they have to do something; that they could not just let it go. He stated about getting bids for siding.

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4. POLICE

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

PUBLIC SAFETY

- **Computer purchase**

Councilman Hawk stated how the grant for the purchase of new computers for the new station to work with the new Alert System software they purchased was denied. He stated that in order for them to start using the system they will have to purchase new computers.

Councilman Hawk moved and Councilwoman Walck seconded to authorize the purchase of four new computers for the police station at a cost not to exceed \$3,200. All voted yes. Motion passed.

Councilman Hawk stated how they have a tentative police contract. He stated how there was some final editing to do and then it will be presented to the FOP for review.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to proceed with the final editing on the contract and present it to the FOP for review. All voted yes. Motion passed.

5. SANITATION

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

No report.

6. RECREATION

DAVID HAWK, CHAIRMAN; MARY FOX CO-CHAIRMAN; MARK STROMELO

- **Matt Evans – request to be on the Recreation Commission**

Councilman Hawk moved and Councilwoman Walck seconded to appoint Matt Evans to the Recreation Commission.

President Stromelo stated how he was already approved by the Recreation Commission.

All voted yes. Motion passed.

Mayor Walck asked when they were having the Halloween Party. Councilman Hawk stated how he was not sure but would let him know.

7. BUDGET

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

- **09.22.10 RoniSue Ahner – 2011 PMRS and Police Pension Fund MMO – Request for approval**

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to approve the 2011 PMRS MMO in the amount of \$40,017.00 and the 2011 Police Pension Fund MMO in the amount of \$145,295.00. All voted yes. Motion passed.

Councilman Hawk stated how they were going to meet to start the budget process.

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President Stromelo stated how Secretary/Treasurer Ahner informed him that the Borough might be able to save money on Workers' Compensation if they create a Safety Committee. He stated how there will be a meeting every month.

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

No report.

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

- **Fire Department Summary Report – August**
- **Nesquehoning Ambulance Corp Summary Report – August**

Councilman Hawk read the reports for August:

- 15 responses for the month;
 - 7 automatic fire alarms
 - 2 motor vehicle accidents
 - 1 landing zone
 - 1 fluids
 - 2 fire police
 - 1 odor
 - 1 special assignment

He stated how there were a total of 76 Fire department responses for the year.

Councilman Hawk stated how there were 43 ambulance response for August and 789 miles for a total of 303 EMS calls and 5,421 miles traveled for the year. He stated how there were 8 EMS calls handled by KME employees during work for a total of 68 for the year.

Mr. McArdle stated how there was additional repairs needed for the aerial truck.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to authorize the additional repairs be done on the aerial truck. All voted yes. Motion passed.

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

President Stromelo stated about the agreement with PPL. Solicitor Yurchak stated how he would check on it.

JR. RECREATION COMMISSION

No Report

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

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

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NEW BUSINESS

• **Grant Application Approval**

Councilman Hawk stated how the Water Authority was going to apply for a grant to replace the Hauto Water Tank and relocate it from the top of the mountain to the 4th Hollow area. He stated how it was a USDA grant and it was recommended through Keith McCall's office. Councilman Hawk stated that when they applied, they discovered how the Authority could not apply because it had to be a municipality or a county. Councilman Hawk stated how the Authority has asked Council for the Borough to become the applicant on the grant; naming the Authority as the administrator.

Council Sniscak, Jr. moved and Councilwoman Fox seconded for the Borough to be the applicant for the Water Authority's grant application. All voted yes. Motion passed.

Secretary/Treasurer Ahner stated how Ron Tirpak had written the grant.

OLD BUSINESS

No old business.

ADJOURNMENT

Councilwoman Fox moved and Councilwoman Walck seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:32 p.m.

RoniSue Ahner

RoniSue Ahner
Secretary/Treasurer