

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

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

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

Councilman DiMiceli was absent.

MINUTES: Approve the minutes from the Regular Meetings held on November 17, 2010 and December 15, 2010.

Councilwoman Fox moved and Councilman Zabroski seconded to approve the minutes from the Regular Meetings held November 17, 2010 and December 15, 2010. All voted yes. Motion passed.

HEARING OF VISITORS

No hearing of visitors.

POLICE REPORT

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

\$877.03 fine money received from Magistrate Kosciolk; \$381.50.00 fine money received from Magistrate for Sanitation Fines/Bills; \$0.00 received in Carbon County Collections; \$49.54 received in DUI reimbursements; \$0.00 received in Motor Vehicle reimbursements; \$16.25 received from Carbon County Restitution; \$0.00 received from Attorney General for overtime reimbursement; \$0.00 received in State Fines; \$225.00 received in parking tickets; \$180.00 received in moving permits; \$45.00 received in accident reports; 25 citations [3 non-traffic & 22 traffic]; 342 incidents reported for the month; alert form attached to report; 0 search warrant; 1 consent searches; 12 traffic accidents (2 reportable – 10 non-reportable); 3 court appearances and the mileage total was 4,012 (702 – 2008 Crown Vic; 1,407 – 2008 Chevy Impala; 0 - 2003 Crown Vic; 717 – 2005 Expedition; 1,186 – 2009 Ford Crown Vic).

Councilman Zabroski moved and Councilwoman Fox seconded to accept the Police Report. All voted yes. Motion passed.

Councilman Sniscak Jr. stated how they had a letter from Lightman, Welby, Stoltenberg & Caputo, which involves the Chief. President Stromelo state how it was personnel matters and would be discussed in executive session. Councilman Sniscak Jr. asked if that was the code word for secrecy. He stated how it was an open letter from his lawyer. President Stromelo asked Chief Smith if he wanted it brought up. Councilman Sniscak, Jr. asked Chief Smith if he minded it if he brought it up. Chief Smith stated that he did not know if they could. President Stromelo asked Solicitor Yurchak for his advice. Solicitor Yurchak stated that he was not sure which letter they were talking about. He stated how the Chief said no and President Stromelo said no that he would have to go with that. Chief Smith stated that he did not say no and that he did not know what the law was. Solicitor Yurchak stated how he would have to see what the letter said. Councilman Sniscak, Jr. stated how it was a letter concerning the Chief and if he did not mind him bringing it up; he wanted to bring it up. He stated how there was no law in that. He stated that it was the Chief's complaint and if he wanted it brought up at a public meeting, it was his choice. Solicitor Yurchak stated how it was personnel.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

- **Code Reports for January from Chief Smith and Code Enforcement Official**

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

EXECUTIVE SESSION

The Borough Council Members entered into an Executive Session at 7:08 p.m. for personnel reasons. The Council Members exited their Executive Session at 8:13 p.m.

SUPERINTENDENT'S REPORT

Louis Paul gave his report for January through February as follows:

He stated how there were 11 projects for the month and they were listed in order of time spent on them.

- Snow removal
- Equipment maintenance
- Snow preparation
- Equipment cleaning
- Garbage truck
- Sidewalks
- Building maintenance
- Water authority
- Road trips - EM Kutz, Central Springs
- Pot holes
- Recreation Center Maintenance

He stated that they have removed snow from the following streets:

- Catawissa Street
- Center Street to Almond Street
- Railroad Street to Mermon Avenue
- Mermon Avenue to Railroad Street

He stated how the snow removal will continue and that they will also be working on pot holes next month.

PLANNING COMMISSION REPORT

Councilwoman Fox stated about the plans for Miranda to separate the two properties. She stated how they had been through a variance hearing for the set backs with the Zoning Hearing Board and that they were approved by the Planning Commission.

Councilman Hawk moved and Councilman Zabroski seconded to approve the plans for Miranda to separate the two properties on Garibaldi Avenue. All voted yes. Motion passed.

CIVIL SERVICE COMMISSION

No report.

PANTHER CREEK ADVISORY REPORT

- Edward J. Bielarski – Minutes from meeting held on 7 Feb 2011

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

ENGINEER'S REPORT

- **02.07.11 Carbon Engineering – Rush Township refund for 2010**

Councilwoman Fox moved and Councilman Hawk seconded to approve the refund to Rush Township for the 2010 overpayment. All voted yes. Motion passed.

- 02.08.11 Carbon Engineering – Police Offices Renovation
- 02.15.11 Carbon Engineering – Eastern Environmental (2) letters - Rehabilitation of Unit #3

Councilwoman Fox asked about the contractor and the damage that occurred at the new police department. She asked if the roof was still leaking. Secretary/Treasurer Ahner stated how it was not leaking anymore. President Stromelo stated how it was from the ice build-up on the roof.

SOLICITOR'S REPORT

- 02.03.11 Robert T. Yurchak letter to MEM
- 02.04.11 MEM letter to Robert Yurchak – Project Update
- 02.10.11 Robert T. Yurchak letter to Keystate Publishers - Codification
- **02.11.11 Robert T. Yurchak memo concerning Elected Tax Assessors**
- **02.09.11 CC Board of Assessment – Local Elected Tax Assessors**

Solicitor Yurchak stated about the assessors position and how the act was effective January 1, 2011. He stated how it was abolishing the position of the assessor. He stated how the person elected to that position was done at the end of 2011. Solicitor Yurchak stated how the County was taking the position that they were not going to pay them anymore. He stated how they can occupy the office until the end of 2011 but they were not going to get paid for it. Solicitor Yurchak stated how they were not allowed to do any assessments because of the new act; they had to be a certified assessor. Councilwoman Fox asked what he did. Secretary/Treasurer Ahner stated how he would pick up the moving permits and somehow got the names and occupations down to the assessment office and they would get the notifications on how they had been added to the occupation tax rolls. She stated how he would also get the names of the seniors from the High School and once they would graduate he would add them to the occupation tax rolls as well. Councilwoman Fox asked who was going to do that now. Secretary/Treasurer Ahner stated how she did not know. Councilwoman Fox stated how they will have to have someone to do that.

Solicitor Yurchak stated that if they were going to hire him, they could not call him a tax assessor. Secretary/Treasurer Ahner stated that he was only making \$1,000.00 year. Councilman Sniscak, Jr. asked how much they got for a moving permit. Secretary/Treasurer Ahner stated that they were \$15.00. President Stromelo stated how the County paid him before and now they would have to pay him. Councilman Sniscak, Jr. asked how much they made on moving permits last year. Secretary/Treasurer Ahner stated that she did not know. She stated about looking at the Chief's report. She stated that they received \$180.00 in moving permits last month. President Stromelo stated about having a meeting with him to find out what he did. Councilman Sniscak, Jr. stated about doing a one year trial and see if they get the money. President Stromelo stated about setting up a meeting with the budget committee to see if it would be worth paying him.

- 02.14.11 Robert T. Yurchak letter to PennDOT – Reading Blue Mt & Northern
- 02.14.11 Robert T. Yurchak letter to Carbon County Prison – Work release
- 02.14.11 Robert T. Yurchak letter to CC Commissioners – Liquid Fence
- 02.14.11 Robert T. Yurchak letter – Insurance Policy
- 02.14.11 Robert T. Yurchak letter to Keystate Publishers – Replacement pages

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

Solicitor Yurchak stated that he did review the replacement pages and sent them a letter back telling them that they were okay with him. He stated that he did not receive a reply back.

- **Ordinance – “Water Connections”**

Councilman Zabroski moved and Councilman Hawk seconded to advertise the water connection ordinance.

Secretary/Treasurer Ahner asked if they were going to get the water meters at no cost. Solicitor Yurchak stated how it was only for the commercial and the industrial. Councilman Hawk stated that a 5/8” or a 3/4”, which was a standard water meter, they will supply but anything that was larger or smaller they would have to pay for.

All voted yes. Motion passed.

- **Ordinance – Oil and Gas Development**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to advertise the oil and gas development ordinance. All voted yes. Motion passed.

- **Ordinance – Installation of smoke, heat and carbon monoxide detectors in leased & rented dwelling units**

Solicitor Yurchak stated how Mr. McArdle had made some suggestions and he did not get a chance to incorporate the changes into the ordinance yet. He stated how it would wait until next month.

- **Drug and Alcohol Policy**

Solicitor Yurchak asked if anyone had a chance to read the updated version of the Drug & Alcohol Policy. He asked if he could forward it to the Teamsters. Councilwoman Fox asked about the Drug & Alcohol Policy and requesting a copy of the driver’s record from the state. President Stromelo stated how they had discussed that during the contract negotiations. He stated how it was a report that the Borough would have to pay for. He stated how he did not remember what it was called but it was in the contract.

- **Young Lungs**

Solicitor Yurchak stated how he had to prepare the resolution for the Young Lungs. He stated how he listed the locations as New Columbus Park, Earl Johnson Park, Nesquehoning Little League Field and the Sport Complex Field. He stated that if there were any other places to let him know.

Solicitor Yurchak stated how Councilman DiMiceli had questioned him about who was responsible for the liability if one of the inmates, who were out on work release, would get injured while working in the Borough. He stated how he had spoken to Frank Shubeck and he indicated that if the inmate would get hurt the County would cover it but they do charge a fee now for using the inmates.

Councilman Zabroski moved and Councilman Hawk seconded to accept all the reports to that point (Superintendent’s Report to Solicitor’s Report).

Councilwoman Fox asked if they could get a copy of the Superintendent’s report. Secretary/Treasurer Ahner stated that she can make a copy for all of Council.

All voted yes. Motion passed.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office
JIM THORPE NATIONAL BANK TREASURER'S REPORT

GENERAL FUND

Balance 12.31.10 136,966.41
Receipts 30,783.39
Expenditures 114,797.56
Balance 01.31.11 52,952.24

GENERAL SEWER CONSTRUCTION FUND

Balance 12.31.10 10,316.15
Receipts 2.19
Expenditures .00
Balance 01.31.11 10,318.34

SPORTS COMPLEX FUND

Balance 12.31.10 3,968.98
Receipts 150.30
Expenditures 1,432.87
Balance 01.31.11 2,686.41

SANITATION ESCROW

Balance 12.31.10 39,108.20
Receipts 5,812.21
Expenditures .00
Balance 01.31.11 44,920.41

DEBT SERVICE

Balance 12.31.10 1,933.99
Receipts .41
Expenditures .00
Balance 01.31.11 1,934.40

FIRE TRUCK FUND

Balance 12.31.10 110,761.05
Receipts 1,087.19
Expenditures 1,533.16
Balance 01.31.11 110,315.08

CAPITAL PROJECT

Balance 12.31.10 53,181.58
Receipts 81.66
Expenditures .00
Balance 01.31.11 53,263.24

SANITATION FUND

Balance 12.31.10 99,670.77
Receipts 210,450.13
Sewer 36,331.40
Expenditures 69,278.51
Balance 01.31.11 204,510.99

HIGHWAY FUND

Balance 12.31.10 134,016.30
Receipts 28.17
Expenditures 1,443.01
Balance 01.31.11 132,601.46

PLANNING FUND

Balance 12.31.10 9,562.33
Receipts 2.84
Expenditures .00
Balance 01.31.11 9,565.17

GENERAL SEWER FUND

Balance 12.31.10 60,276.11
Receipts 36,541.10
Expenditures 32,127.32
Balance 01.31.11 64,689.89

SEWER OPERATING & MAINTENANCE

Balance 12.31.10 20,679.82
Receipts 45,606.42
Expenditures 24,441.53
Balance 01.31.11 41,844.71

POLICE PENSION FUND

Balance 12.31.10 625,655.39
Receipts 2,365.42
Expenditures 8,579.64
Acct Appreciation 7,359.95
Balance 01.31.11 626,801.12

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

CD REPORT

FUND	CURRENT VALUE 01.31.11	INTEREST 01.31.11	OPENING DATE	CURRENT RATE	RENEWAL DATE	BANK
PLANNING	\$ 15,611.12	\$ 33.08	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 367,738.37	\$ 779.16	08-20-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 13,807.88	\$ 29.26	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 106,851.38	\$ 126.90	06-04-10	1.40%	06-04-13	JTNB
DEBT SERVICE	\$ 18,593.50	\$ 33.73	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 20,582.87	\$ 37.34	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 10,088.57	\$ 18.30	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,856.70	\$ 17.88	06-22-09	2.14%	06-22-11	JTNB

Councilwoman Fox moved and Councilman Zabroski seconded to accept the Treasurer’s Report and the CD Report. All voted yes. Motion passed.

EMERGENCY MANAGEMENT REPORT

John McArdle asked permission to change the hydraulic oil in the ladder truck. He stated how the oil was contaminated and it was recommended that it get changed.

Councilman Hawk moved and Councilwoman Walck seconded to allow Mr. McArdle get the hydraulic oil serviced in the ladder truck. All voted yes. Motion passed.

MAYOR’S REPORT

• **02.19.11 Chief Smith – Training – First Aid & CPR**

Mayor Walck stated how they have to get the training done before the end of April. He stated that he was going to try and get it scheduled within two sessions and they would be scheduled before the end of April.

Councilman Hawk moved and Councilwoman Walck seconded to get the First Aid & CPR training scheduled before the end of April 2011. All voted yes. Motion passed.

• **02.19.11 Chief Smith – Training – TASER training**

Mayor Walck stated how he had received some dates up until the 10th of March. He stated how he did not have all of the particulars, such as how long it would take to get an officer trained. Mayor Walck stated how the officer who will be doing the training was going away from the March 11th through the 26th and did not know if Council wanted to wait until the end of March to get them scheduled. Councilman Hawk asked about the cost. Mayor Walck stated how there was no charge for the trainer but it would be the overtime of all the officers.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

Councilman Hawk stated about waiting until the officer/trainer gets back. Councilman Zabroski stated how he would agree. He stated about not trying to jam it in within the next two weeks. Councilman Hawk stated about getting some additional dates from him once he gets back.

- **02.19.11 Chief Smith – Purchase new West’s PA Criminal Justice Book**

Mayor Walck stated about the request from Chief Smith for the 2011 West PA Criminal Law book. He stated how it was a book that they used when researching laws. He stated how the cost was \$134.00.

Councilman Hawk moved and Councilwoman Walck seconded to purchase the 2011 West PA Criminal Justice Book. All voted yes. Motion passed.

Mayor Walck stated how the District Attorney’s Office was having a training called “Cops in Court” at the EMA building on March 3, 2011 from 9:30 a.m. until 12:30 p.m. He stated how it was for all of the officers in the area. Mayor Walck stated how all of the officers have put in a request to attend the training.

Councilman Zabroski moved and Councilman Hawk seconded to allow the officers to attend the Cops in Court training session at the EMA Building on March 3, 2011. All voted yes. Motion passed.

Mayor Walck stated how there was a request that the Jim Thorpe Police Department, in conjunction with Kidder Township, Leighton, and Weatherly; was hosting an “Active Shooter” training on March 12, 2011 from 8:30 a.m. until 4:30 p.m. He stated how it would be held at the LB Morris Elementary School in Jim Thorpe. He stated how the training was free but they will have to pay the officers overtime for attending. Mayor Walck stated how they had made an attempt to do it two years ago but for some reason it did not happen. He stated how there was the question as to how many officers they wanted to send. Councilwoman Fox asked about the overtime with the police department. Mayor Walck stated how it was mild to moderate at that point. He stated how they had a lot of court hearings coming up and that would take overtime up. Councilman Zabroski asked if they had approved it two years ago. Mayor Walck stated that Chief Smith and Officer Wuttke were given approval two years ago. Councilwoman Fox asked who had expressed interest to go to the training. Mayor Walck stated how they have all requested to go.

Councilman Zabroski moved and Councilwoman Walck seconded to allow Chief Smith and Officer Wuttke (total of two officers if the two mentioned were not able or decided not to go) to attend the “Active Shooter” training session. All voted yes. Motion passed.

Mayor Walck stated how he was contacted by the Cancer Society again about holding a collection at the stoplight and at the bottom of Rt. 93. He stated how it on Saturday, March 25th and Saturday, April 8th. He stated that it was for the Cancer Telethon. Councilwoman Walck asked if they would be wearing their vests. Mayor Walck stated how they will be wearing their vests.

Councilwoman Walck moved and Councilman Zabroski seconded to allow the Cancer Society to hold a collection in town (Route 93 & corner of Mermon and Catawissa Streets). All voted yes. Motion passed.

Mayor Walck stated how the Crime Watch Meeting would be on Monday, March 7, 2011 at 7:00 p.m. at the Borough Building.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

Mayor Walck stated how he had received a letter from the Red Cross in regards to flying the Red Cross Flag because March was Red Cross month. He stated that he would like the Borough crew to hang the new flag to comply with their request.

Councilwoman Walck moved and Councilwoman Fox seconded to fly the Red Cross Flag at the Recreation Center during the month of March. All voted yes. Motion passed.

TAX COLLECTOR'S REPORT

No report.

<u>EXEMPTIONS:</u>	Allen Steigerwalt, II	Non-resident
	John B. Koehler	Non-resident

Councilman Hawk moved and Councilman Zabroski seconded to approve all the reports to this point (Emergency Management – Tax Collector's), and approve the tax exemptions. All voted yes. Motion passed.

<u>APPLICATIONS:</u>	Ryan J. Rehatchek	Police Department
	John S. Orsulak	Police Department
	Christopher Cruz	Police Department
	Gabriel Szozda	Police Department
	Gerard F. Digilio	Any position
	David R. Chapman, Jr.	Picker, Laborer, CDL
	Brian M. Bamford	Laborer, CDL
	Gregory A Macalush	Any position
	Kevin A. Antonucci	Any position
	Noel Abadia	P.T. Garbage Collector
	Raymond M. Watson	Garbage Removal
	Richard P. Galgoci	P.T. Garbage Collector

COMMUNICATIONS:

1. 01.25.11 CC Conservation District – NPDES Review PA Solar Park Project

2. **01.26.11 Nanovic Law Offices – Kidder Twp UCC – Joint Board of Appeals**

Councilman Hawk moved and Councilman Zabroski seconded to approve Kidder Township in the Inter-municipal Agreement for the Joint Appeals Board pursuant to the Uniform Construction Code. All voted yes. Motion passed.

3. 01.31.11 DCED – Managing Floodplain Development through Insurance

4. 02.02.11 PSAB – Update

5. 02.04.11 DCED – Spring Road Maintenance

6. 02.04.11 Steve Shannon – Automotive Warehouse

7. 02.04.11 PBCA – Networking and leadership skills

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

8. 02.04.11 Barry Isett & Associates – Letter of Interest – Building Code Official

Secretary/Treasurer Ahner stated how Barry Isett is requesting to be the Primary BCO (Borough Code Official) for the Borough. Councilwoman Fox asked who the Primary was now. Secretary/Treasurer Ahner stated how it was Carl Faust, Blue Mountain Inspections. She stated how Barry Isett was a secondary for the Borough and the residents do have the option as to who they want to use. Councilman Zabroski stated about tabling it and it was something that they could discuss at the reorganizational meeting.

9. 02.04.11 Public Employee Retirement Comm. – Need a plan for Admin. Improvements

Secretary/Treasurer Ahner stated how they need to submit a letter of Administrative Plan Improvements to the Retirement Commission. Solicitor Yurchak stated how he and Secretary/Treasurer Ahner would get together to draw something up. Councilwoman Fox asked what they meant by need a plan. Secretary/Treasurer Ahner stated how they need something as to a plan on how the Borough was going to improve the administrative portion for the pensions. She stated how when she talked to Conrad Siegel, they told her how it was going to be put on the bank that holds the police pension since they manage that portion.

10. 02.07.11 Conrad Siegel – Solutions 2011
11. 02.08.11 Michael S. Greek – Zoning Hearing Board – 26 & 36 W. Garibaldi Avenue
12. 02.09.11 ESM – Dirt & Gravel Roads
13. 02.09.11 CC Conservation District – NPDES Modification – PA Solar Park Report
14. 02.10.11 S&O Computers – Computer Services
15. 02.11.11 PSAB – Their Energy Procurement Program (PEPP)
16. 02.16.11 Blue Mt. Inspection – Fred Cross Coal Street properties
17. 02.16.11 Ohl Fuel Oil – Lower your fuel bills

Councilwoman Walck moved and Councilman Zabroski seconded to approve all communications and accept all applications and place them on file.

Carol Zickler asked about the applications for the police and if they were for part-timers or full-timers. Secretary/Treasurer Ahner stated how they were part-timers. Ms. Zickler asked if they would automatically use them. Secretary/Treasurer Ahner stated how they will go through the process of getting background checks, etc. Ms. Zickler stated about hiring additional part-time police officers. Councilwoman Fox stated how all of the police applications get looked at. Councilwoman Walck stated how they get checked.

All voted yes. Motion passed.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS

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

Councilwoman Fox asked about the Taser cartridges and if that was the cost for one. Secretary/Treasurer Ahner stated how that was for several. Mayor Walck stated how they had purchased two different types. Councilwoman Fox asked if the workers compensation in the fire truck fund was for the year. Secretary/Treasurer Ahner stated how that was their yearly amount. She stated how they break it down into the appropriate accounts and the fire truck paid their share first. Councilwoman Fox asked what the difference was between Environmental Awareness Corporation and Commonwealth Environmental Systems. Secretary/Treasurer Ahner stated that Commonwealth Environmental Systems was in Hegins and Environmental Awareness Corporation was Tamaqua Transfer Station.

All voted yes. Motion passed.

COMMITTEE REPORTS

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

- **Cadi Wernett – 145 E. Garibaldi Avenue – Curb Cut**

Secretary/Treasurer Ahner stated how it was brought up at the November Meeting and it was tabled to make sure they were going to have enough room. President Stromelo stated how Linda Narciso was supposed to check on it to see where their property line was and if they were going to be able to park along side the house. Councilwoman Fox asked about Gene Kennedy. Secretary/Treasurer Ahner stated how he does not have anything to do with them. She stated how the lady called her and informed her that they had it all cleared out as to where they were going to park. Councilman Hawk stated how they needed to make sure that they could park without being on the sidewalks. Councilman Hawk and Councilman Sniscak, Jr. stated “as long as they were off the sidewalk”. Secretary/Treasurer Ahner stated how she was also questioned if they own the property or if they rent. President Stromelo stated that if they rent, they would have no authorization. He stated how they would table it until it can be checked.

President Stromelo stated how they had a meeting with the Engineer, Ron Tirpak, in regards to the road project. He stated how there will be curbing letters going out soon. He stated how they were full steam ahead with the project.

Councilman Zabroski stated how he had contacted Mr. Paul in regards to some figures. He stated that since they put the Supervisor on and with the Borough workers doing a lot more of the work, he had asked him to put a list together as to what kind of savings they had. Councilman Zabroski stated that some of the things that Mr. Paul noted were the inlets that they had installed, repairs to the sweeper, plowing cylinders, snow removal, construction cost and labor for the pipe installation, and the vehicle maintenance. He stated how the Supervisor and the Borough workers have saved the Borough almost \$40,000.00. Councilwoman Fox stated how they should not look at the cost of what the Borough workers were saving. She stated how they were saving the Borough all of the time. President Stromelo stated how it was his job and that was what he was hired to do.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

2. SEWER

MARY FOX, CHAIRMAN; DAVID HAWK, CO-CHAIRMAN; FRANK DiMICELI

- 02.17.11 Mary Fox – Replacing a pump; two projects for the spring

Councilwoman Fox stated how she was talked with David Digilio and he wanted to get the issue on Railroad Street settled. She stated how she knew that Solicitor Yurchak had been sending letters back and forth but they did need to get it settled. Councilwoman Fox asked about the easement at the Hauto Fire Company. She stated about getting the line put in during the Spring/Summer. Councilwoman Fox stated how President Stromelo told her about a problem on Mill Street between Allen Street and Holland Street. She stated about getting that issue addressed in the Spring as well. President Stromelo stated how it was checked and the pipe was blocked. He stated how they had tried to go through with the Vacuum Truck and it would not go through. President Stromelo stated how Mr. Digilio told him how they were going to have to rip up the street and replace the pipe. Councilwoman Fox asked if there was a time schedule for the rebuilding of unit #3. Secretary/Treasurer Ahner stated that she had not heard anything but she knew that he had been in touch with the Engineer.

Councilwoman Fox stated how Mr. Digilio told her that he had to replace a pump over at the Lake. She stated about the pump that he had taken out. She stated how he likes to have one on hand and was going to look into seeing which was cheaper; to have the old one rebuilt or to purchase a new one.

President Stromelo stated how they had discussed with the Engineer the other night about the excessive storm water that was going into the Sewer System. He stated how Mr. Digilio knows the problem areas. He stated about smoke tests being done to see who was connected to the sewer system with rainspouts, etc. He stated how there was a lot of water running into the Sewer System. President Stromelo stated about Mr. Digilio figuring out a plan and starting with the worst areas first. Councilwoman Fox stated about setting up a meeting and get a schedule as to what they will work on first.

3. BUILDINGS

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

Councilwoman Fox asked about the roofs they had received quotes on for the Borough Building. Secretary/Treasurer Ahner stated how they did not do anything with them yet. She stated how she wants to get a set of specifications drawn up so that all of the contractors will be bidding on the same thing. She stated that once the weather was nicer she would get that started.

4. POLICE

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

PUBLIC SAFETY

Councilman Zabroski asked about the Chief's contract. Councilman Hawk stated how they have to get together with him on it.

5. SANITATION

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

- 02.04.11 CC Dept. of Solid Waste – Solid Waste Hauler License approved
- 02.04.11 CC Dept. of Solid Waste – Meeting Notice 2011

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to increase the temporary worker's, Matt Miller, salary to \$11.00 per hour retroactive to the beginning of 2011. All voted yes. Motion passed.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

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

President Stromelo stated how he had given Solicitor Yurchak a copy of the by-laws and ordinances. He stated about coming up with a new set of by-laws for the Recreation Commission.

7. BUDGET AND PUCHASING **DAVID HAWK, CHAIRMAN; ROSE WALCK, CO-CHAIRMAN;** **MARK STROMELO**

No report.

8. FIRE/AMBULANCE PUBLIC SAFETY **FRANK DiMICELI, CHAIRMAN; DAVID HAWK, CO-CHAIRMAN;** **ROSE WALCK**

- 01.28.11 Patrick Rafferty – UL Inspection Report
- **02.15.11 CC Commissioners – Radio Narrow Banding**

Councilman Hawk stated how they had received a letter from the County Commissioners to see if the Borough was interested in participating with them and other municipalities to seek a grant to get some radios replaced under the Narrow Banding, which goes into effect January 1, 2013. He stated how the County was going to make an effort to consolidate what was needed and try to go out and find funding for it. He stated how the County wanted to know, if the Borough was interested and the list of equipment that was going to be needed to be replaced, by a certain time, so they will know how much money they will have to go after. Councilman Hawk stated that if they were interested in participating, they will have to let them know and let them know what equipment they were going to need to replace.

Councilman Hawk stated to Mr. McArdle how they were already working on a grant. Secretary/Treasurer Ahner stated how they submitted one with Lansford and Summit Hill. Mr. McArdle stated how it would not hurt. Secretary/Treasurer Ahner stated how all she had was the combined information of all three towns. She stated how she would need a new list for just the Nesquehoning Fire Companies. Councilman Hawk stated about the police too. Mayor Walck stated how he had thought that they were okay with the police. Mr. McArdle stated how it would not hurt to put in for a couple of portables. He stated how they have not heard anything on the other one yet. Secretary/Treasurer Ahner stated how she thought that their meeting was canceled due to the weather. Mr. McArdle stated that based on a request they had dropped the amount that they had applied for. He stated how Lansford received a grant already for their mobile radios. He stated how they were still interested in pagers. Mr. McArdle stated how Nesquehoning and Summit Hill were still in need of all of the equipment.

Mr. McArdle stated how at the meeting they had told them that they might not get what they wanted. Councilman Hawk stated how the downside of going in with the County was that the County has to bid and the bids were going to be based on specifications that everyone would have a say in but which specific manufacturer or model will be subject to the County going out and getting bids. He stated how they may not get to pick and choose which radio they want but they will meet the specifications that were required. Secretary/Treasurer Ahner and Councilman Hawk stated “beggars can’t be choosers”. Councilwoman Fox stated that if it meets the specifications, it was all that matters. Councilman Hawk stated how the County said that they would come up with a memorandum of understanding for all of the participating communities on how things would be divided up if they did not receive 100% of the funding. He stated how they will have guidelines ahead of time on how each municipality will be taken care of.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

Councilman Hawk stated that the drop-dead date was January 1, 2013. He stated how they were going to start implementing it in 2012. Mr. McArdle stated how they were going to try to start off in April 2012 for a couple of months and they want to do fire and paging last. He stated that once before when they switched over they had given them a grace period. He stated how they were not going to do that. Mr. McArdle stated how there will be a blackout period with the paging. He stated how they can pre-program the radios for that period. Councilman Hawk stated that the radios that were upgradable can be programmed for basically for both wideband and narrowband. He stated that the day the County changes, because they were not going to simulcast they were going to make the change to narrowband; they can just change the channel they use. He stated how they would have to come back in and take out the wideband channel after that. Councilman Hawk stated how it was a FCC mandate and anybody who was caught by the FCC broadcasting on the wideband channel after that date, it was a \$10,000.00 a day fine. He stated that was why he had made mention about getting the old ones taken off, so nobody accidentally uses the wideband. President Stromelo stated how he wanted to make everyone aware that if none of the grants come through, it was up to the Borough to purchase the new radios. He stated how it was a very large expense. Councilwoman Fox asked how much were they looking at. Mr. McArdle stated how he had just purchased two radios last year and that came to around \$3,000.00 for the two radios.

Councilman Hawk stated how they were going to go after the Community Development Block Grant money and the Gaming Money. Mr. McArdle asked if they had said anything about if the Borough would back out. Councilman Hawk stated how they did not address that. He stated how there might be something in the memorandum of understanding about it and how they would handle a situation like that. He stated that it would be because the Borough would have received funding elsewhere.

Councilman Hawk moved and Councilwoman Fox seconded to participate with Carbon County to apply for grant funding for the radios, mobile radios and pagers for the Fire Companies and the Police Department. All voted yes. Motion passed.

- **Nesquehoning Fire Department – Summary Reports for January**
- **Nesquehoning Ambulance – Summary Reports for January**

Councilman Hawk read the reports for January:

- 10 responses for the month;
- 3 automatic fire alarms
- 3 motor vehicle accidents
- 2 odors
- 1 search
- 1 spill containment

Councilman Hawk stated how for January there were 37 ambulance responses and 689 miles traveled. He stated how there were 15 EMS calls handled by KME employees during work.

9. STREET LIGHTS

FRANK DiMICELI, CHAIRMAN; MARY FOX, CO-CHAIRMAN; ROSE WALCK

Secretary/Treasurer Ahner stated how they were going to be meeting with some of the surrounding communities who have also been involved with MEM to just exchange some information. She stated that they will be meeting at the Recreation Center on March 3, 2011 at 7:00p.m. Councilwoman Fox stated how they did meet with Mr. Kearns to try and go over some of the things.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

10. GRANTS

**MICHAEL SNISCAK, JR. CHAIRMAN; MARY FOX, CO-CHAIRMAN;
RICHARD ZABROSKI**

Councilwoman Fox stated how she had suggested that Krista from Barry Isett would come and hold a meeting for non-profit and a historical society. She stated how Krista had suggested about having shareholders from the community, business people, community civic groups and clubs. She stated how Krista would do a presentation. Councilwoman Fox stated how she knew how Krista has told Councilman Sniscak, Jr. that there were no grants out there. She stated how she thought it would be nice to get together different groups in the community so they can move someplace instead of just sitting there stale all of the time. Councilwoman Fox stated how a historical society might be able to apply for some kind of grant because there was nothing out there for the Borough. Solicitor Yurchak stated how there used to be a historical society. Councilwoman Fox stated how she was hoping to revive some of those organizations. She stated how it was worth a shot and it might just cost them a letter and some postage. She stated about sending letters out to the businesses, churches, civic organizations and other groups. President Stromelo stated how she could try because if they did not try they were not going to get anywhere.

JR. RECREATION COMMISSION

Mayor Walck stated how they were going to be working on a drawing for Easter.

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

NEW BUSINESS

No new business.

OLD BUSINESS

Councilwoman Fox asked about the Sparich property. She asked if they could do an auction. Solicitor Yurchak stated that they could. Councilman Zabroski stated about anybody being interested. President Stromelo stated how they did have an offer but then . . . Councilwoman Fox asked if they had received anything from Mr. Sable. President Stromelo stated "no" and how he did not submit anything the following month. President Stromelo stated how he would now say about listing it with a realtor or doing an auction. He stated how they had to move to get rid of it. Solicitor Yurchak stated about contacting a realtor.

- **Destroy sanitation/sewer payment record from July – December 2003**

Councilman Zabroski moved and Councilman Hawk seconded to approve the destruction of the July – December 2003 Sanitation/Sewer payment records. All voted yes. Motion passed.

Frank Jacobs stated about the smoke test. He stated how they should talk to the Engineer because Summit Hill just had a contractor in to do some and it did not cost as much. He stated how they can then have everything documented. Mr. Jacobs stated how they have a high flow from New Columbus. He stated how everybody has the drains and they were going into the Sewer System.

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 23, 2011 at 7:00p.m., Borough Office

Mr. Jacobs stated how they have a problem up at Lake Hauto as well. He stated how they tied it right into their sewer lines because they have no place to go with the water. He stated how he was up there at 3:00 a.m. one time with Mr. Digilio and he could not believe the flows that were going into the line at that time of the morning. Mr. Jacobs stated about trying to get one section corrected and then going to another section.

Mr. Jacobs stated about the curbing. He stated about how they had problems when the curbing was installed too early. He stated how they should wait to request the curbing until they were ready to do the streets.

ADJOURNMENT

Councilwoman Walck moved and Councilwoman Fox seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:28 p.m.

RoniSue Ahner
Secretary/Treasurer