

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

Wednesday, March 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 7:02 p.m.

Councilman DiMiceli was absent.

**MINUTES:** Approve the minutes from the Regular Meeting held on January 26, 2011 and February 23, 2011.

Councilman Sniscak, Jr. moved and Councilwoman Fox seconded to approve the minutes from the Regular Meetings held on January 26, 2011 and February 23, 2011. All voted yes. Motion passed.

## **HEARING OF VISITORS**

No hearing of visitors.

## **POLICE REPORT**

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

\$1,177.69 fine money received from Magistrate Kosciolk; \$265.95 fine money received from Magistrate for Sanitation Fines/Bills; \$0.00 received in Carbon County Collections; \$190.52 received in DUI reimbursements; \$248.13 received in Motor Vehicle reimbursements; \$27.50 received from Carbon County Restitution; \$576.75 received from Attorney General for overtime reimbursement; \$0.00 received in State Fines; \$150.00 received in parking tickets; \$150.00 received in moving permits; \$120.00 received in accident reports; 11 citations [0 non-traffic & 11 traffic]; 318 incidents reported for the month; alert form attached to report; 1 search warrant; 2 consent searches; 20 traffic accidents (5 reportable – 15 non-reportable); 0 court appearances and the mileage total was 3,739 (668 – 2008 Crown Vic; 1,404 – 2008 Chevy Impala; 0 - 2003 Crown Vic; 355 – 2005 Expedition; 1,312 – 2009 Ford Crown Vic).

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

- **Linda Narciso's code enforcement report**

Councilman Zabroski asked about the complaint on March 16<sup>th</sup> with someone dumping cooking oil into the street. Chief Smith stated that he did not know how the sequence started but he had received complaints from a neighbor that a certain individual was parking his RV on the street. He stated how he went up in his personal vehicle and could smell the oil. He stated how he reported it to Officer Kurtz. Chief Smith stated how the individual moved the RV right away because he was told before about it and that the person who filed the complaint also filed one with Linda and she was following up on it. He stated how the neighbor had told him that the individual dumped a couple hundred gallons. Chief Smith stated that he did not know when it was dumped or how much was dumped. President Stromelo stated how there was more to it because apparently he was burning it in his yard. Chief Smith stated that he informed the individual that if he had the RV on the street again that it would be a \$600.00 per day fine. He stated how he had told him about obtaining a permit for parking on Locust Street or taking it to a storage unit. President Stromelo stated how the fire departments were notified that he was burning the oil in his back yard. Chief Smith stated that Ms. Narciso did not request his assistance because if she needed him to go with her, he would. He stated that he did not know what kind of follow up she did on it.

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Councilman Sniscak, Jr. moved and Councilwoman Walck seconded to accept Chief Smith's Police Report and Linda Narciso's Housing & Code Official Report. All voted yes. Motion passed.

### **SUPERINTENDENT'S REPORT**

Louis Paul gave his report for February – March as follows:

He stated how there were 20 projects for the month and they were listed in order of time spent on them.

Pot holes – 108 hours

Snow removal – 88 hours

Water problems Tippets, New Columbus (flooding) – 78 hours

Equipment maintenance - 76 hours

Install new lighting in the garage – 74 hours

Mr. Paul stated how he wanted to thank Mayor Walck for getting them a corporate donation for the lights they installed, the welding machine, the pipe threader, and the saw for installing inlet boxes.

Repairs – Cemetery Road and Mussmano Avenue with millings from down by the

Sewer Plant – 61 hours

Cinder pile pick-ups – 60 hours

Garbage truck maintenance – 40 hours

Inlet cleaning – 37 hours

Borough building maintenance – 34 hours

Brush cutting – 24 hours

Police Station maintenance – 24 hours

Yard work – stock pile clean-up – 13 hours

Equipment cleaning (Fridays) – 10 hours

Signs – 8 hours

Water authority – 8 hours

Equipment – post storm repairs – 4 hours

Haul Salt – 4 hours

Training on new garbage truck – 4 hours

Road trips – Central Springs (parts) – 2 hours

Mr. Paul stated how there was no overtime hours included in the hours listed.

Mr. Paul stated about his Spring/Summer Maintenance Project Schedule. He stated how they did start with the sweeping but with the weather changed it. He stated how they started with the piles and they started filling pot holes. He stated how he has used about 6 ton of material and he will probably need more. Mr. Paul stated how the line painting will be on Thursdays and Fridays. He stated how he will have traffic control with the garbage men. Mr. Paul stated how he had to do some landscaping on Coal Street where they had installed the pipe. He stated how he was going to rake, straw and seed it. Mr. Paul stated how the new inlets that they have were crucial because they were going to start the paving soon. He stated how he has a couple to do on Willow Lane, Coal Street, Rhume Street, Mill Street and Mermon Avenue. Mr. Paul stated about inlet repairs. He stated how they were the ones that have fallen in. He stated about Railroad Street, Kattner, Greco, Arthur, West High Street, Mermon Avenue, East High Street, Ratcliff Street, School Street and Mill Street. Mr. Paul stated about base repair. He stated about 6<sup>th</sup> Avenue, 7<sup>th</sup> Avenue, Coal Street where the pipe was replaced, and a spot in New Columbus. He stated how he would like to do all of the base repair and then they would seal it with some driveway sealer, until they get the chance to pave those roads.

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Mr. Paul stated how he had received something from Pocono Spray Patch. He stated how they also do the oil and chip. He stated about doing the base repair on 6<sup>th</sup> Avenue, 7<sup>th</sup> Avenue and Laurel Street getting a price to oil and chip those roads. He stated how they were not high traffic roads. Mr. Paul mentioned about Cedar Street also. He stated how they will hold up with a tar and chip job for years until they will get the money to pave them. Councilwoman Fox stated how Cedar Street was getting really bad. President Stromelo stated how Cedar Street was the one that was going to get reconstructed. Mr. Paul stated how they were starting to lose 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue. He stated how they were definitely going to do the base repair. He stated that when they do go to pave it, they can go right over top of it. Mr. Paul stated about the Water Authority opening on High Street. He stated how they were going to take care of that.

Mr. Paul stated about the parks. He stated how they do the grass cutting and the landscaping but they also wanted to repair some of the playground equipment. He stated how he wanted to get with Councilwoman Walck because he wanted to do a Summer project every year. He stated how he wanted to improve the parks. Mr. Paul stated about budgeting \$1,000.00 - \$2,000.00. He stated that for an example, they could put some picnic benches in New Columbus Park. He stated how they would cement and bolt them to the ground. Mr. Paul stated how they might be able to build a pavilion the following year. He stated how they could then move to Johnson Park. Mr. Paul stated how he would like to improve the parks and he has the manpower on Thursdays and Fridays. He stated how he felt that between him and Robert Pilla they could build anything. He stated about Larry Fox as well. He stated how they were pretty handy and it would save the Borough a lot of money. Mr. Paul stated about walking around in the park and getting some ideas and prices.

Mr. Paul stated about the building maintenance and how it would be done on a rainy day. He stated how it would be the same for equipment maintenance. Mr. Paul stated that both of the garbage trucks will be washed, lubed and fluids checked every Thursday. He stated how it was the driver's responsibility. Mr. Paul stated how there will be sheets filled out regularly. He stated how the garbage trucks will be ready for a parade at any time. Mr. Paul stated how all of the trucks will be washed every Friday afternoon after their weekly projects.

Mr. Paul stated how all requests will be placed on the schedule and encouraged all Council Members and the Mayor to use the maintenance request forms. He stated how their request will be placed in the schedule in order of priority and emergency. Mr. Paul stated that the schedule he wrote was concrete and he was going to stick to it. He stated how he would respond to anyone's request within 48 hours. Mr. Paul stated how he thought that they had a lot on their plate for the Summer between the inlet boxes and all of the repairs they have to do. He stated how he was hoping to have it all accomplished by September.

Councilwoman Walck stated how they had recently combined the budget and the purchasing committees because they were working hand-in-hand. She stated how all of them would be willing to work with him. She stated about the Recreation Committee. Mr. Paul stated how they should only have to purchase straw for the Coal Street landscaping project. He stated how they will have to purchase the cement for the inlet boxes because they have the cement mixer. He stated how he will only have to get a truck in if it was crazy and had to get it poured. Mr. Paul stated how they will have to purchase the BC/BC for the base repairs for 6<sup>th</sup> and 7<sup>th</sup> Avenues. He stated how they were going to go with base and top for the Water Authority openings because it was going to be a finished product.

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Councilwoman Fox stated about when Sam Kitchko was in from the Conservation Club with putting the park benches in on Locust Street. She stated how he had offered to make some for the Borough. She stated that they would have to pay for the cost of the material. Mr. Paul stated how he did not think that there was not one worker who would not try something. He stated that they were maintenance and not construction workers. Councilwoman Fox stated how Mr. Kitchko told them how the Conservation Club would make them for around town for the cost of the materials. Mr. Paul stated how there were some issues about them getting stolen. He stated that once they make something, they were going to be cementing it into the ground.

President Stromelo asked Mr. Paul to get a list for the street sweeping to Carol Zickler to get into the paper. He stated how that way they can let the people know ahead of time. Mr. Paul stated how they were going to start in Hauto. President Stromelo stated that when he was going to start to let Ms. Zickler know so she could get something listed in the paper.

### **PLANNING COMMISSION REPORT**

No report.

### **CIVIL SERVICE COMMISSION**

No report.

### **PANTHER CREEK ADVISORY REPORT**

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

### **ENGINEER'S REPORT**

- Ron Tirpak letter to PA DEP – Annual Report – Sewage Treatment Plant
- Ron Tirpak letter to Douglas N. Miller-Eastern Environmental-Rehab of Treatment Unit #3
- Ron Tirpak letter to Douglas N. Miller-Eastern Environmental-Rehab of Treatment Unit #3
- Ron Tirpak letter to John Davis, PennDOT – 2011 Street Program

### **SOLICITOR'S REPORT**

- Robert T. Yurchak letter to Joshua Fallet-absorbent
- Robert T. Yurchak letter to Joseph J. Matika – Hugh Lawrence
- Robert T. Yurchak letter to Keystate Publishers – Codification
- Velitsky & Matika – Hugh Lawrence available dates
- Kenneth Lee Rotz – Code of Ordinances, Keystate Publishers?
- Robert T. Yurchak letter to Keystate Publishers – Codification
- **Robert T. Yurchak letter to Joseph J. Matika – Hugh Lawrence**

Solicitor Yurchak stated how they have the meeting scheduled with Mr. Lawrence and his Attorney for Wednesday, March 30, 2011 at 5:00 p.m. He asked if they wanted him to contact Dennis Ball about attending the meeting as well. President Stromelo stated that he should contact him. He asked if all of Council wanted to be present for the meeting. Solicitor Yurchak stated that he had notified Carl Faust to be at the meeting.

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Councilwoman Fox moved and Councilman Zabroski seconded to advertise for the Special Meeting to be held on Wednesday, March 30, 2011 at 5:00 p.m. for general purposes. All voted yes. Motion passed.

- **Water Connections Ordinance**

Councilman Hawk moved and Councilwoman Fox seconded to adopt the Water Meter/Connections Ordinance. All voted yes. Motion passed.

- **Regulation of Oil & Gas Development Ordinance**

Solicitor Yurchak stated how he had sent the Oil & Gas Development Ordinance to the Carbon County Planning Commission for their review. He stated that he wanted to see if they had any notations or objections to the ordinance.

- **Resolution - Young Lungs Smoke Free Zones**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to adopt the Young Lungs Smoke Free Zones Resolution. All voted yes. Motion passed.

Solicitor Yurchak stated that he had revised the Smoke Detector Ordinance but he wanted to give it to Mr. McArdle before he gave it to Council.

Councilman Zabroski moved and Councilwoman Walck seconded to accept all the reports to that point (Superintendent's Report to Solicitor's Report). All voted yes. Motion passed.

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

**GENERAL FUND**

Balance 01.31.11	52,952.24
Receipts	103,988.88
Expenditures	85,261.21
Balance 02.28.11	71,679.91

**GENERAL SEWER CONSTRUCTION FUND**

Balance 01.31.11	10,318.34
Receipts	1.98
Expenditures	.00
Balance 02.28.11	10,320.32

**SPORTS COMPLEX FUND**

Balance 01.31.11	2,686.41
Receipts	123.40
Expenditures	2,075.39
Balance 02.28.11	734.42

**SANITATION ESCROW**

Balance 01.31.11	44,920.41
Receipts	2,912.09
Expenditures	.00
Balance 02.28.11	47,832.50

**DEBT SERVICE**

Balance 01.31.11	1,934.40
Receipts	.37
Expenditures	.00
Balance 02.28.11	1934.77

**FIRE TRUCK FUND**

Balance 01.31.11	110,315.08
Receipts	636.37
Expenditures	14,942.65
Balance 02.28.11	96,008.80

**CAPITAL PROJECT**

Balance 01.31.11	53,263.24
Receipts	260.61
Expenditures	.00
Balance 02.28.11	53,523.85

**SANITATION FUND**

Balance 01.31.11	204,510.99
Receipts	94,963.45
Sewer	72,171.45
Expenditures	113,310.57
Balance 02.28.11	113,992.42

**HIGHWAY FUND**

Balance 01.31.11	132,601.46
Receipts	23.66
Expenditures	10,050.37
Balance 02.28.11	122,574.75

**PLANNING FUND**

Balance 01.31.11	9,565.17
Receipts	2.57
Expenditures	.00
Balance 02.28.11	9,567.74

**GENERAL SEWER FUND**

Balance 01.31.11	64,689.89
Receipts	72,286.33
Expenditures	67,485.18
Balance 02.28.11	69,491.04

**SEWER OPERATING & MAINTENANCE**

Balance 01.31.11	41,844.71
Receipts	58,489.19
Expenditures	25,162.97
Balance 02.28.11	75,170.93

**POLICE PENSION FUND**

Balance 01.31.11	626,801.12
Receipts	1,265.45
Expenditures	7,015.50
Acct Appreciation	12,032.53
Balance 02.28.11	633,083.60

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**CD REPORT**

<b>FUND</b>	<b>CURRENT VALUE 02.28.11</b>	<b>INTEREST 02.28.11</b>	<b>OPENING DATE</b>	<b>CURRENT RATE</b>	<b>RENEWAL DATE</b>	<b>BANK</b>
PLANNING	\$ 15,641.06	\$ 29.94	08-17-09	2.50 %	08-17-12	JTNB
GEN. SEWER	\$ 368,443.62	\$ 705.25	08-20-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 13,834.36	\$ 26.48	08-17-09	2.50 %	08-20-12	JTNB
DEBT SERVICE	\$ 106,970.23	\$ 118.85	06-04-10	1.40%	06-04-13	JTNB
DEBT SERVICE	\$ 18,642.02	\$ 30.52	06-22-09	2.14%	06-22-11	JTNB
SANITATION	\$ 20,616.66	\$ 33.79	06-22-09	2.14%	06-22-11	JTNB
CAPITAL PROJ	\$ 10,105.13	\$ 16.56	06-22-09	2.14%	06-22-11	JTNB
FIRE TRUCK	\$ 9,872.88	\$ 16.18	06-22-09	2.14%	06-22-11	JTNB

Councilman Hawk moved and Councilwoman Fox seconded to accept the Treasurer’s Report and the CD Report.

Councilman Zabroski asked about the expenditures for the Sports Complex Fund. Secretary/Treasurer Ahner stated how that was the bills from last month, which was probably between oil and lights for up that the Recreation Center. President Stromelo stated how it might have been for the television as well. He stated how the television was for the Police Station and the Recreation Center and it was paid for the whole year.

All voted yes. Motion passed.

**EMERGENCY MANAGEMENT REPORT**

- Memo – Radio Inventory List for County Grant Application

John McArdle stated that the meeting he had attended that night on behalf of the Borough was in regards to the radio grant. He stated how the County was in the process of making applications for the gaming money similar to the application the Borough has pending. Mr. McArdle stated that the bottom line was going to be if there was a short fall, the Borough may end up having to come up with 25% of the money for the radios. He stated that if the grant was successful, what they were trying to do was to tie in with the Borough’s contribution and their share would be the installation cost. He stated how there would not be any money to be put in for the purchase of the radios just for the installation of them. Mr. McArdle stated how there was going to be a memo of understanding put out to all of the municipalities, which will ask the Borough to sign off on it. Mr. McArdle stated how one of the questions that have not been answered yet was who would have ownership of the radios. He stated how the County was making the application. He stated that if there was any money that would have to be paid before the radios were ordered, they would ask each municipality or township to supply that funding up-front. Mr. McArdle stated how they were going to try and go with COSTARS to try to avoid the bidding process. He stated that about 90% of the people in the room favored Motorola and there were some people who favored Kenwood. He stated that the Borough would favor Motorola.

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### MAYOR'S REPORT

- **Memo – Mandatory Updates**
- **Memo – First Aid/CPR Training**

Councilman Hawk moved and Councilwoman Walck seconded to approve the Mandatory Updates (MOPEC) and for the Mandatory First Aid/CPR Training for all the full- and part-time officers. All voted yes. Motion passed.

- **SFST Practitioner Class**

Councilman Hawk moved and Councilwoman Walck seconded to allow up to three officers to attend the SFST Practitioner Class to be held at KME on April 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>. All voted yes. Motion passed.

- **Terroristic Attack Training – LCCC (Chief Smith & Officer Wuttke)**

Mayor Walck stated how he received a request from Chief Smith and Officer Wuttke to attend a Terroristic Attack Training at the Lehigh Carbon College on April 7<sup>th</sup> and 8<sup>th</sup>. He stated how the class was free but it was all day training. Councilman Hawk stated how Chief Smith's other request was for April 7<sup>th</sup>. Mayor Walck stated how Mark Nalesnik was an instructor in Terroristic Training. He stated how he thought that Mr. Nalesnik was trying to set something up at the Emergency Management Building. He stated how it would probably not be until next month. President Stromelo stated about getting in touch with Mr. Nalesnik and Chief Smith to see if there was something that could be set up. He stated how they would table that request.

- **Chief Smith – Friends of Education Award Ceremony**

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to approve the request of Chief Smith to be paid for his full shift on April 7, 2011 and be allowed to leave at 3:00 p.m. to get ready for the Award Ceremony.

Mayor Walck stated how he had been lectured for bringing Officers in for the 9-1-1 services and paying them overtime when they were the ones who were being honored. He stated how he was willing to take four hours of vacation. Councilman Hawk stated how he was scheduled until 7:00 p.m. and he was technically going while he was on duty. He stated how they were only paying for his normal shift. Councilwoman Fox asked if he was just going to be getting paid for his shift. Councilman Hawk stated "yes". He stated how they will have to cover the four hours he was gone.

All voted yes. Motion passed.

- **Crime Watch Meeting**

Mayor Walck stated how the next Crime Watch Meeting will be held on Tuesday, May 3, 2011 at 7:00 p.m.

- **Gabriel Szozda – part-time police officer**

Councilwoman Walck moved and Councilman Sniscak, Jr. seconded to hire Gabriel Szozda as a part-time police officer pending successful completion of all required testing. All voted yes. Motion passed.

Mayor Walck stated that he had received a written request from the Cancer Telethon Committee holding a collection on March 25<sup>th</sup> and April 8<sup>th</sup>. He stated how the volunteers were aware of the safety need to wear their vests.

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Councilwoman Fox asked about some of the applicants for part-time police officers. Mayor Walck stated how they were still working on the background checks. Councilwoman Fox stated that when she was looking at the minutes she had noticed the other names. Mayor Walck stated how there were other applications. He stated how one was turned down, there was the one they accepted and there were two more being looked at.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to accept the Emergency Management Report and the Mayor’s Report. All voted yes. Motion passed.

**TAX COLLECTOR’S REPORT**

No report.

**EXONERATIONS FOR 2010:**

Per Capita                    \$2,430.00 (from Pat Vito)  
Occupations                \$3,015.00 (from Pat Vito)

**DELINQUENT FOR 2010:**

Real Estate                \$38,928.47 (turned over to the County)  
Per Capita                 \$ 5,300.00 (turned over to Statewide)  
Occupations               \$ 8,085.00 (turned over to Statewide)

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to accept the Tax Collector’s Report and the approval of Pat Vito’s, tax collector, 2010 Per Capita and Occupation exoneration lists and the 2010 Real Estate, Per capita and Occupation delinquent lists. All voted yes. Motion passed.

**APPLICATIONS:**

Brett M. Hannon                    P.T. Police Officer  
Leonard Michlovsky, Sr.        P.T. Sanitation Worker

**COMMUNICATIONS:**

- 1. 02.23.11 PA DOT – Bridge Inspection Notification
- 2. 02.25.11 PSAB – Update
- 3. 02.25.11 Michael S. Greek – Miranda – Findings of Fact
- 4. 02.28.11 UGI – Public Awareness Programs – natural gas pipeline
- 5. 03.02.11 PA DEP – Permit, Discharge of Stormwater, PA Solar Park
- 6. 03.02.11 NEPA – LTAP – Safety Training – Stormwater Facility Operation & Maintenance
- 7. 03.02.11 CLE – Training Program – Freight Rail Car Incidents
- 8. 03.03.11 Dimmick Memorial Library – Donation**

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to postpone the donation to Dimmick Memorial Library until May 2011. All voted yes. Motion passed.

- 9. 03.07.11 PA DOT - Posting & Bonding of Local Roads – Course
- 10. 03.07.11 Scranton Craftsmen – Road & Bridge Repair

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11. 03.07.11 Geoff Penske – COSTARS – Trucks
12. 03.08.11 Steve Shannon – Warehouse
13. 03.09.11 Hazleton Health & Wellness – Run/Walk sponsor for 2011
14. 03.09.11 JMT Environmental Technologies – List of services we provide
15. 03.09.11 PSAB – Long Term Care Insurance
16. 03.10.11 PennDOT – Posting & Bonding of Local Roads – Workshop
17. 03.11.11 PA One Call – Board Meeting Notice
18. 03.11.11 PA One Call – Pipeline Safety Bulletin
19. 03.11.11 CC Environmental Center – Rain Barrel Workshop
20. 03.11.11 ARRO Engineering – Multi-engineering & Environmental Consultants
21. 03.14.11 MP Uniform – Price Adjustments
22. 03.15.11 Center for Local Government Services – Spring Road Maintenance Workshop
- 23. 03.15.11 PVSD – Appraisal – MapleShade Meadows**

President Stromelo stated how they were looking for the Borough to contribute. Solicitor Yurchak stated how MapleShade filed a tax assessment appeal and they were looking to have an appraisal, which would reduce the market value about 2.5 million dollars. He stated that the County was forced to go out and get an appraiser. He stated how they asked the School District to kick in on it and they agreed. He stated how they also felt that the Borough should contribute to it because it was located within the borough and it will affect borough taxes also. Solicitor Yurchak stated that the cost of the appraiser was \$4,500.00 and it would be split according to how much tax revenue was generated by each body. Councilman Sniscak, Jr. stated how it was like 14%. Solicitor Yurchak stated how it was not a huge amount to the Borough. Councilman Zabroski stated how it was \$402.00.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to contribute to the appraisal fee for MapleShade. All voted yes. Motion passed.

24. 03.17.11 PVSD – re-consider railroad crossing project
25. 03.17.11 DCED – Essentials in Police Operations
26. 03.18.11 Windstream – Lifetime Price Guarantee Business Bundle

Councilman Hawk moved and Councilman Zabroski seconded to approve all communications and accept the applications and place them on file. All voted yes. Motion passed.

### **BILLS TO BE RATIFIED, EXPENDITURES AND RECEIPTS**

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

Councilwoman Fox asked if the Direct Energy was the block energy. President Stromelo stated “yes”. Councilwoman Fox stated how they still have to pay PPL. Secretary/Treasurer Ahner stated that the PPL bills would be higher if they were not paying Direct Energy. Councilman Zabroski asked about the deposit, the reimbursement from the Drug Task Force. Secretary/Treasurer Ahner stated how it was a reimbursement for wages for the officers who worked overtime for the Drug Task Force.

All voted yes. Motion passed.

# MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

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

## COMMITTEE REPORTS

### 1. STREETS

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

- CC Commissioners – CDBG Funds FY 2010

President Stromelo stated how they just received a letter on how they were awarded the funding for the resurfacing of Mill Street from the County (CDBG Funds). Councilman Sniscak, Jr. stated how he thought that it was for \$61,000.00. Secretary/Treasurer Ahner stated how they might end up spending a little more on it by the time they were done. Councilman Sniscak, Jr. stated how some of it was going to have to be reconstructed. Secretary/Treasurer Ahner stated how the County will bid it out and if the prices come in higher the Borough will have to make up the difference.

- 2011 F550 Dump Truck – delivered

President Stromelo stated how the new dump truck was delivered the other day, which was ordered last year in June.

President Stromelo stated that when they met with Ron Tirpak, the Engineer, about the railroad, they were supposed to file a complaint with the PUC. Solicitor Yurchak stated how Mr. Tirpak had mentioned it to him. President Stromelo stated how they want to proceed with it. Councilman Sniscak, Jr. stated that talking to the Railroad was not going to get them anywhere. President Stromelo stated how there was a complaint about handicap people trying to cross. He stated how they had made a temporary patch. Councilman Sniscak, Jr. stated how they have to get it done before they get the road in there. He stated how they cannot take the road two feet from the tracks and have it not repaired properly. Councilman Hawk asked if they were going to file the complaint for them all. President Stromelo stated how they were talking about Mermon Avenue, Allen Street, and the two on Industrial Road.

Councilman Sniscak, Jr. moved and Councilman Hawk seconded to proceed with the complaint about the Railroad/Railroad Crossing (4) to the PUC. All voted yes. Motion passed.

Councilman Sniscak, Jr. asked what the deal was with the abandoned truck. Solicitor Yurchak stated how he had gotten in touch with Chief Smith and Chief Smith did not want to do the abandonment because they were asking him to certify some information. He stated how it was up to him to move forward. Councilman Sniscak, Jr. stated about the fastest way they could do it. Solicitor Yurchak stated that the fastest way he could do it, he would do it. Councilwoman Fox asked if the Borough could use the truck if it was seized. Solicitor Yurchak stated that it was not titled to the Borough so they were not able to use it. Councilman Sniscak, Jr. stated how it was seized and nobody was paying for it or for the storage fees. Solicitor Yurchak stated how they have stored it for over a year. Councilman Sniscak, Jr. stated how the truck was not worth what they owe the Borough in storage fees.

## MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

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

### 2. SEWER

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

Councilwoman Fox stated how Mr. Digilio had a real fun time with all of the water. She stated how he had a problem over at the pump station at the lake. She stated how the call out did not go to his cell phone it only went to the plant and the Borough office. She stated how he had to replace a solenoid. She stated that he did take care of it.

Councilwoman Fox stated how she was going to let Councilman Hawk explain the problem on Mill Street and the sewer line that was going to have to be replaced before Mill Street was paved. Councilman Hawk stated how they were having flow issues down on Mill Street in the area of Allen Street. He stated how the line from the manhole at Mill Street and Allen Street going west to the next manhole, they tried to get a camera through and they could only get a couple of feet in from the intersection. He stated how they tried coming from the other direction and they had gotten in a little farther, but they were hitting blockages in both directions. Councilman Hawk stated that from what they were able to scope, there were at the least three different pipes there (10" concrete, 8" concrete and some plastic). He stated how the pitch on the pipe was wrong and it was filled with debris either from some kind of collapse or something else. Councilman Hawk stated how that was going to have to be replaced as soon as possible. He stated that from Allen Street east until the line dead-ends somewhere past the Lions Club, they had scoped that also. He stated how they had gotten three quarters to the Lions Club and hit a blockage. Councilman Hawk stated how the line was full of a lot of heavy debris, blacktop and other stuff. He stated how there was apparently a collapse beyond where they got the camera stuck in there also. Councilman Hawk stated how there were some laterals, which were in bad shape. He stated how they were letting storm water and ground water into the line. Councilman Hawk stated that since they were resurfacing Mill Street, they were going to include that as part of the project to get a modern line in there. He stated how they would make sure that all of the laterals were properly hooked up.

Councilman Hawk stated how they were also concerned with the flow problems on Mill Street and the infiltration. He stated how they were going to be looking at the line coming from Railroad Street to Mill Street through the tunnel the following day. He stated how it was the area around Holland Street. He stated how the contractor was going to be there the following day to go through the tunnel to see if there was a problem with the sewer line in the tunnel.

Councilwoman Fox stated how there were some projects that Mr. Tirpak stated that they were going to need to look at for the Summer. She stated about smoke testing for water infiltration and the sewer line in Hauto.

- Jennifer Kowalonek (Benesch) letter to Ron Tirpak – Customers/Daily Flow/Connections
- **03.18.11 Mark Dementri – Resignation**

Councilwoman Walck moved and Councilman Sniscak, Jr. seconded to accept Mark Dementri's resignation from the Sewer Operator #2 position at the Sewer Plant. All voted yes. Motion passed.

Councilman Hawk moved and Councilman Sniscak, Jr. seconded to ratify the actions of Council President to post the position, required by the contract, for Sewer Operator #2 and to authorize advertisement of the position, if needed.

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

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

Councilman Sniscak, Jr. asked if they had to hire someone with a license or someone to train. He stated that if they just hire a sewer plant operator, the only thing that person was going to do was sit at the desk. Councilwoman Fox stated how she was looking at the contract and the job description. Councilman Sniscak, Jr. stated how that was what they require but most of the people who do sewer plant work do not go into a sewer plant to be an electrician, welder or a machinist. Councilman Hawk stated how they were going to go by what was in the contract. He stated that when they advertise the position, they will include wordage about the job description being available in the office. Councilwoman Fox asked if there was something in the contract about an apprentice. Councilman Sniscak, Jr. stated how they could hire someone as an apprentice. Councilman Hawk stated how they do have the option of hiring someone without a license and hire an apprentice until they would get their license. He stated how they were not required by law to have two, but it was a good idea to have two. President Stromelo stated how someone has to work in a sewer plant for two years before they can be considered for their license. Councilwoman Fox asked where they put the ad. Secretary/Treasurer Ahner stated that they usually only put it in the Times News. Councilman Zabroski stated about putting it on Career Link or Career Builder. Councilwoman Fox stated about putting it somewhere other than the Times News.

All voted yes. Motion passed.

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

No report.

### **4. POLICE                DAVID HAWK, CHAIRMAN; MARK STROMELO, CO- PUBLIC SAFETY            CHAIRMAN; RICHARD ZABROSKI**

Councilman Hawk stated how they had received a proposal from the Chief and they will be scheduling a meeting to go over the proposal and give a counter offer.

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

- **Ratify actions – hiring Richard Galgoci**

Councilman Hawk moved and Councilwoman Fox seconded to ratify the actions of the Council President to hire Richard Galgoci as a part-time as needed garbage picker. All voted yes. Motion passed.

President Stromelo stated about Leonard Michlovsky being interested and being a backup to the part-time garbage picker.

Councilman Hawk moved and Councilman Zabroski seconded to hire Leonard Michlovsky as a part-time garbage picker. All voted yes. Motion passed.

President Stromelo stated how the new garbage truck did arrive at KME. He stated how it was in the process of being lettered. He stated how it should be in operation within another week.

Councilman Sniscak, Jr. stated that with the fuel cost right now, February and March tonnage averaged 9 tons and it was costing them \$125.00 a trip to go to Hegins. He stated how they can dump in Tamaqua for \$10.00, which was \$90.00 they were paying. He stated how they were paying more to drive to Hegins than what it was costing them to go to Tamaqua.

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

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

Councilman Sniscak, Jr. moved that they start saving money now and they start to go to Tamaqua Transfer instead of Hegins.

Councilwoman Fox asked what the difference in cost was, tonnage wise. Councilman Sniscak, Jr. stated that it was \$10.00 more a ton if they go to Tamaqua and the fuel alone was costing them \$125.00. Councilwoman Fox asked if they had quotes from them. Councilman Sniscak, Jr. stated "yes" that he had talked to them. President Stromelo stated how Councilman Sniscak, Jr.'s figures were wrong. Councilwoman Fox stated how she would like to know what was going on before she voted on something. Councilman Sniscak, Jr. asked how his figures were wrong. President Stromelo asked how much their fee was in Tamaqua. Councilman Sniscak, Jr. stated how it was \$10.00 more a ton. President Stromelo stated about giving him a price. Councilman Sniscak, Jr. stated how it was \$10.00 above what they were paying up there. Councilman Zabroski asked if it would be \$135.00 a ton. Councilman Sniscak, Jr. stated how it was \$10.00 more than what they were paying at Hegins. He stated about getting a written quote from them. He stated how it was costing them money to go there. Secretary/Treasurer Ahner stated how they were being charged \$77.00 a ton from Tamaqua and they were charged \$59.00 a ton from Hegins. Councilman Sniscak, Jr. stated how it was still costing them money. President Stromelo stated how it was not costing them money. Councilman Sniscak, Jr. stated how the fuel alone was costing them \$125.00. Councilman Zabroski asked Secretary/Treasurer Ahner if it was a ton. Secretary/Treasurer Ahner stated how it was \$59.00 a ton and \$77.00 a ton. Councilwoman Fox asked how many ton do they usually take. President Stromelo stated that it varies. Secretary/Treasurer Ahner stated how they were usually between 8 and . . . Councilman Sniscak, Jr. stated how he would contact him and get a price from him on what it cost. He stated that when he called him, he was told that it would be \$69.00 a ton. Secretary/Treasurer Ahner stated how that was without the tipping fees. She stated how it would have cost them another \$4.00 a ton so the total would be \$73.00. Councilman Sniscak, Jr. stated how he will call and get a written quote.

Councilman Zabroski asked what the mileage difference was between the Borough and Hegins and the Borough and Tamaqua. He asked what the mileage was to Hegins. President Stromelo stated that he did not have that number off the top of his head. Councilman Sniscak, Jr. stated how it was 86 miles. President Stromelo stated how they went through it two years ago when the fuel was up then. Councilman Sniscak, Jr. stated how it was 86 miles to go to Hegins. He stated how it was a two hour drive. He stated how it was anywhere between two hours and two hours and twenty minutes. Councilman Zabroski asked if they have anything as to what it cost them for fuel. He stated how they should look to see if it was a viable change. President Stromelo stated how he had just given the figures two meetings ago. He stated how the savings were about \$50,000.00 a year, even with paying for the fuel. Councilman Sniscak, Jr. stated how he could not see how they were saving \$50,000.00 a year driving 86 miles a day, three days a week. Councilwoman Walck and Councilman Zabroski stated about getting everything in writing. Councilman Zabroski asked about the 9 ton. President Stromelo stated how on a Monday it was between 7 and 9 ton and on a Tuesday and a Wednesday it was more than 9 ton. Councilman Zabroski asked what the maximum the truck could hold. President Stromelo stated "60,000 pounds". Councilman Sniscak, Jr. stated how they would have Secretary/Treasurer Ahner get out the tonnages for January, February and March. He stated how he would like to see a cost analysis on it. President Stromelo stated how they would get something together.

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

President Stromelo stated how there should be a meeting coming up on April 4, 2011 at 7:00 p.m.

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

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

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

Councilman Hawk moved and President Stromelo seconded to authorize Solicitor Yurchak to proceed with all the necessary documents to increase the line-of-credit from \$200,000.00 to \$300,000.00. All voted yes. Motion passed.

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

- Nesquehoning Hose Company No. 1 – Project description and budget
- **03.03.11 Nesquehoning Ambulance Summary Report for February**
- **03.03.11 Nesquehoning Fire Department Summary Report for February**

Councilman Hawk read the reports for February:

- 9 responses for the month;
  - 5 automatic fire alarms
  - 1 motor vehicle accidents
  - 2 fire police
  - 1 spill containment

He stated how there was a total of 19 responses for the year. Councilman Hawk stated how for February there were 43 ambulance responses and 880 miles traveled. He stated how it brought the total for the year to 80 calls and 1,569 miles. He stated how there were 18 EMS calls handled by KME employees during work, which brings the total to 32 for the year.

### **9. STREET LIGHTS      FRANK DiMICELI, CHAIRMAN; MARY FOX, CO- CHAIRMAN; ROSE WALCK**

- Street Lighting System Status Update

Councilwoman Fox stated how they had the Committee meeting, which she was not able to attend, with some of the other Boroughs and Townships. Solicitor Yurchak stated how Secretary/Treasurer Ahner had provided all the information to Attorney O’Pake, who was the solicitor for Mahanoy City Borough. He stated how there was interest from some of the municipalities to work together to see what was going to happen with MEM. Solicitor Yurchak stated how Attorney O’Pake had sent a letter to all of the Solicitors for them to go back to the boards/councils to see if there was an interest. He stated how there were approximately six boroughs/townships that showed up for the meeting. Secretary/Treasurer Ahner stated how some of the Municipalities that she contacted did not want to get involved because they liked the responses and information they were receiving from MEM. Councilwoman Fox asked about the Status Update they had received. Secretary/Treasurer Ahner stated how they had received that from MEM on the day of the committee meeting. She stated how it was an outline of the contract. Solicitor Yurchak stated how it was a historical restoration of the whole process. Councilwoman Fox stated how it did not address Nesquehoning. Secretary/Treasurer Ahner stated that she did not know if everyone had received it because they had forwarded it off to some that did not receive it. Councilwoman Fox asked if anyone had heard from Mr. Kearns. Solicitor Yurchak stated how he had sent him an email on Monday to remind him that the 60 days were approaching. He stated how he sent him a certified letter that day to remind him that his 60 days would be up on Saturday. Secretary/Treasurer Ahner stated how she had sent him an email last week. She stated how she sent it to him, Peter and to Mr. McLaine in regards to the invoice.

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

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

Councilwoman Fox stated that when they had met with Mr. Kearns at the office, he had told them 60 days. She stated how he had told them how they should have everything finalized by March 26, 2011, which was that weekend. Councilman Zabroski asked what their options were. Solicitor Yurchak stated how they have to declare them in default of the contract indicating what their defaults were. He stated how they have 30 days to rectify the defaults. He stated that if they do not do that, they can move forward in terminating the contract. Solicitor Yurchak stated how they have to declare them in default first. Councilman Zabroski asked if they have done anything to finish the project. Secretary/Treasurer Ahner stated that they do not know. President Stromelo stated how they do not tell them anything. Solicitor Yurchak stated how some places have had work done and others have not. He stated that they had given them 60 days and so they will give them the 60 days. He stated how they did advise the other municipalities as to the step they were contemplating taking.

Councilman Zabroski asked if the other municipalities were in the same predicament and just as frustrated. Solicitor Yurchak stated how they were frustrated and upset. Councilman Zabroski stated how they were not standing alone then. Secretary/Treasurer Ahner stated how some of the others were talking that they wanted out. President Stromelo stated how they did not want them to touch anything; they just wanted their money back. Councilwoman Fox stated how if that was the service they had gotten so far, what was the service going to be like once it was complete. Solicitor Yurchak stated how they have a five year opt out on maintenance. Councilman Sniscak, Jr. stated how they could get the same people they did to fix the street lights. Secretary/Treasurer Ahner stated how they had talked that once they changed everything anybody with a bucket truck would be able to change the light bulbs.

### **10. GRANTS**

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

Councilman Sniscak, Jr. stated how he was talking to Mr. Paul about the parks. He stated how he went onto the website to see about federal and state grants. He stated how there was nothing out there. Councilwoman Fox stated how she had not heard back from Krista. She stated how she was supposed to be setting up a meeting with shareholders.

### **JR. RECREATION COMMISSION**

Mayor Walck stated how they were in the process of selling tickets for a drawing for Easter hams. He stated how the proceeds will go to the American Cancer Society. He stated how they were \$1.00 per ticket and the drawing was going to be held on April 13, 2011.

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

### **NEW BUSINESS**

Mayor Walck stated how he had a request from Chief Smith and Officer O'Brein to attend a free sexual assault protocol training at the communications center on April 28, 2011 from 11:00 a.m. to 1:00 p.m.

Councilman Sniscak, Jr. moved and Councilman Zabroski seconded to approve the request from Chief Smith and Officer O'Brein to attend the sexual assault training on April 28<sup>th</sup>. All voted yes. Motion passed.

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

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

President Stromelo stated how he did not know if anybody had seen it in the paper that there might be a new business going into Green Acres. He stated how he did attend the meeting with the commissioners about two weeks ago. He stated how it was an aluminum manufacturer for automotive parts. President Stromelo stated how it was still in the planning stages. He stated how the name of the company was not released.

### **OLD BUSINESS**

Councilwoman Fox stated how they had talked about the assessor last month and who was going to handle everything, moving permits and sending the stuff to the county. Secretary/Treasurer Ahner stated how she had received a call from the school because they deal a lot with the assessor. She stated how she suggested paying him \$1,000.00 a year and asked the school to chip in \$200.00. She stated that if they would do that with each town; each municipality would be paying \$800.00 and the school would also be paying \$800.00. Secretary/Treasurer Ahner stated how they had contacted Jerry Citrano and he was available any day for a meeting.

### **ADJOURNMENT**

Councilman Zabroski moved and Councilman Sniscak, Jr. seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:50 p.m.

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RoniSue Ahner  
Secretary/Treasurer