

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, January 24, 2007 at 7:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN DeMARCO, DIGIGLIO, DiMICELI, HAWK, STROMELO;
COUNCILWOMAN WALCK; PRESIDENT JACOBS; MAYOR WALCK;
SOLICITOR YURCHAK; & CHIEF SMITH

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

MINUTES: Regular Meetings held on November 15, 2006 and December 20, 2006 and the Special Meeting held on December 4, 2006

Councilwoman Walck moved and Councilman DiMiceli seconded to approve the minutes from the December 4, 2006 Special Meeting. All voted yes. Motion passed.

Councilman DiMiceli moved and Councilman Digiglio seconded to approve the minutes from the November 15, 2006 Regular Meeting. All voted yes. Motion passed.

President Jacobs stated that they will table the minutes for the December 20, 2006 Regular Meeting until next month because they did not have a chance to read over them.

HEARING OF VISITORS

Peter Malaska asked what Council's feelings were on the Water Authority selling property to the resort. President Jacobs stated that they already had a letter drafted up to send to the Nesquehoning Borough Authority. He stated that in his opinion, he was not in favor of it. President Jacobs stated that they do not have jurisdiction over them. He stated that they only appoint the members to the Authority Board. Councilman Digiglio stated that he agreed with President Jacobs. He stated that he feels how the project will be bad for the hunters and people who walk the mountain. Councilman Digiglio stated that he was worried about their reservoirs. He stated that they do not know if their wells were going to go bad. He stated that they have three reservoirs on the mountain. Councilman Digiglio stated that one of the most important things in life was water. Councilman DiMiceli stated that he also agreed. He stated that they were slowly becoming land-locked. He stated how there was just a property transfer in the paper for over 700 acres. Councilman DiMiceli stated how property that they own, they should keep. President Jacobs stated that they were not against real estate development in the borough. He stated that they would take the property and ruin that part of the mountain.

Tom Mermon stated that they should not get rid of that property. He stated that the most important resource on the earth was water. He stated that they could get thousands of acres of land out in the mid-west, but there was no water to do anything. Mr. Mermon stated that he was surprised that Councilman DeMarco was the only Council Member at the meeting. He stated that he feels a lot better knowing the thoughts of Council. He stated that they should protect the water.

Ted Dacey stated how most of the property was in Packer Township. He stated that the Nesquehoning Borough was not going to get anything out of it. He stated that they were the people who were going to lose.

Sam Sparich stated about what the game commission wanted to do up on the mountain. He stated that they were going to build a rifle range and put in macadam roads. He stated that they may end up doing it but the day that they do it will be the day that they will be stopped from going in there. Councilman DiMiceli stated that they were looking to put in a gated community. He stated that they cannot get into a gated community without an I.D. tag, window tag or some kind of bumper sticker.

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President Jacobs read the last sentence of the letter, which will be sent to the Nesquehoning Borough Authority. (Copy attached)

Councilman Digiglio moved and Councilman DiMiceli seconded to send the letter to Nesquehoning Borough Authority. All voted yes, except Councilman Hawk, who abstained. Motion passed.

Robert Brennan, from 65 West Railroad Street, stated that the traffic was getting heavier down through Catawissa Street. He stated since he was blind, that it was getting harder and harder for him to get across the street. Mr. Brennan stated that he wanted to ask Council about installing chirpers. He stated that they hook up to the light system that was already there and they are basically there to help the blind to cross the street safely. President Jacobs stated that Mr. Brennan brought it up to him about a month and a half ago. He stated that he did make a call and there was a gentleman who was supposed to get back to him, but he did not yet. President Jacobs stated that they were in other towns. He stated that they will check into it again.

John McArdle requested the release of their loan payment for 2007.

Michael Frey asked about the review of the disabled parking spaces. President Jacobs stated that they were going to bring that up later in the meeting.

PLANNING COMMISSION REPORT

No report.

CIVIL SERVICE COMMISSION

No report.

PANTHER CREEK ADVISORY REPORT

No report.

ENGINEER'S REPORT

- 12.29.06 Carbon Engineering Inc. – Wetland Determination to Melissa Mertz
- 01.08.07 Carbon Engineering Inc. – Deed of Dedication for Mountain Drive
- 01.11.07 Ron Tirpak letter to Rudy Wolffe – Mountain Drive Pipe Replacement
- 01.17.07 CC Engineering – Wasteload Management Report for 2006
- 01.17.07 CC Engineering – Gravel Bar Removal – permit compliance
- 01.19.07 Kovatch Enterprises – Installation of complete storm system on Mt. Avenue

President Jacobs stated about the pipe that runs from the southwest corner of the Certaineed Building and goes to the North side of the Railroad. He stated that they want the Council to undertake the project with them. He stated that they had checked the deed of Dedication of Mountain Drive, which was done in 1967. President Jacobs stated how Kovatch wants the Borough to share in the expense of replacing this pipe. He stated how they do not feel it was justified for the Borough to get involved in this. He stated that it serves them no purpose.

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Councilman Digiglio stated that the water was coming from the Railroad and then it goes onto Mr. Kovatch's property in front of the office buildings. He stated that there was a blockage in the middle of the road. Councilman Digiglio stated how Kovatch feels that the Borough and Ametek should each go one third to pay for the replacement. Councilman Digiglio stated that the water was not coming from their property. He stated that they should have nothing to do with it. Councilman Digiglio stated that they have a drain all the way down and Mr. Kovatch could dig to put a line in to catch that water. He stated that he was sure that the Borough Council would allow him to go into that pipe that was down below. He stated that they were talking about a bid for \$25,386. He stated that they should not get involved with it because they do not have the money. Councilman DiMiceli stated that he agreed. He stated that it would be doing work on private property with taxpayers' money. He stated that whatever was wrong with the pipe, it was not their problem.

Councilman DiMiceli moved and Councilman Digiglio seconded that they not get involved with the pipe replacement on Mountain Avenue because it was not their obligation but Kovatch may tap into their line as long as he meets the specifications of their engineer.

Councilman Hawk asked if they would be disturbing part of the street. President Jacobs stated that if they proceed with the pipe replacement, they would have to get a street encroachment permit.

All voted yes, except Councilmen DeMarco and Stromelo who abstained. Motion passed.

SOLICITOR'S REPORT

- Solicitor Yurchak Letter to Heritage Frame and Glass Creations concerning elevated noise levels.

Solicitor Yurchak stated that they were continuing to receive complaints about the noise levels, which were coming from the plant. He stated that he had asked them to do whatever they could to keep it confined to the building. President Jacobs stated that he and Gene Kennedy were up there and took noise levels from various places. He stated that the complaints were coming from Hauto Valley Estates. He stated that they took a level from Industrial Road and the noise level was 3.5 point above where it should be. He stated that they took a level from behind the plant and that was 12 – 15 points above. President Jacobs stated that they took a reading from Park Avenue in the Estates and they were 1.5 – 2 points above.

- Solicitor Yurchak Letter to Robert Shubeck concerning complaints pertaining to contents of yard.

Solicitor Yurchak stated that Gene Kennedy had met with Mr. Shubeck a couple months ago. Mr. Shubeck had agreed to clean up the property but nothing was done as of a few weeks ago. Solicitor Yurchak stated that Gene Kennedy had told him that day how it was being cleaned up.

- Discussion on Zoning Hearing fees

President Jacobs stated that when they get into the Commercial Zoning Hearings, the Borough was taking a beating. He stated that they charge \$300.00 for anybody who wants a variance. He stated that the lawyer's fees alone on the last one came to over \$500.00. President Jacobs stated that they have to adjust the fees. He stated that once they set a fee, they cannot get any more money out of them.

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Solicitor Yurchak stated that they were permitted by the Municipality Planning Code to set reasonable fees related to zoning matters. He stated that it would include the compensation for the secretary, the members of the zoning hearing board, the notice and advertising, and any necessary administration overhead. He stated that they cannot address cost related to legal expenses, engineering, architectural or other technical/expert witnesses. He stated that they split the steno expenses with them.

President Jacobs stated that he would like to set two different fees. He stated that they would have one for Residential and one for Commercial/Industrial. He stated that they have to come close to what they were charging them. President Jacobs stated that the Residential one was usually a short, easy hearing. Councilman DeMarco stated that they had talked about this many, many times. Councilman DiMiceli stated that they should ask the Solicitor from the Zoning Hearing Board what he thinks might be a reasonable fee for Residential and the Commercial/Industrial. He stated that he was the one involved in the preparation time and everything else. Solicitor Yurchak stated that he would talk to him.

Solicitor Yurchak stated that he had a rough draft of a snow plowing ordinance pertaining to piling it at corners in access of five feet. He stated that it was a draft to review and act on next month.

Solicitor Yurchak stated that he wanted to remind them of the George Pauff Resolution for next month.

Councilman DiMiceli asked about a Resolution for someone who was getting an Eagle Scout Award. Solicitor Yurchak stated that they had done one before for Mr. McArdle's Son. Councilman DeMarco stated that it was a Proclamation. Councilman DiMiceli stated about getting one for Ryan Applegate, who will be receiving his award on February 17, 2007.

Councilman Hawk moved and Councilman DiMiceli seconded to accept all the reports to this point. All voted yes. Motion passed.

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NESQUEHONING SAVINGS BANK TREASURER'S REPORT

GENERAL FUND

Balance 11.30.06 204,307.85
Receipts 44,462.70
Expenditures 90,789.09
Balance 12.31.06 157,981.46

GENERAL SEWER CONSTRUCTION FUND

Balance 11.30.06 8,267.70
Receipts 30.04
Expenditures .00
Balance 12.31.06 8,297.74

SPORTS COMPLEX FUND

Balance 11.30.06 77.65
Receipts .28
Expenditures .00
Balance 12.31.06 77.93

SANITATION ESCROW

Balance 09.30.06 8,929.31
Receipts 8,182.40
Expenditures .00
Balance 12.31.06 17,111.71

DEBT SERVICE

Balance 11.30.06 1,066.17
Receipts 3.87
Expenditures .00
Balance 12.31.06 1,070.04

FIRE TRUCK FUND

Balance 11.30.06 25,201.16
Receipts 91.55
Expenditures .00
Balance 12.31.06 25,292.71

CAPITAL PROJECT

Balance 11.30.06 58,086.40
Receipts 399.50
Expenditures 38,826.52
Balance 12.31.06 19,659.38

SANITATION FUND

Balance 11.30.06 60,043.29
Receipts 62,636.88
Sewer 7,000.00
Expenditures 32,128.35
Balance 12.31.06 83,551.82

HIGHWAY FUND

Balance 11.30.06 34,033.59
Receipts 120.64
Expenditures 6,423.73
Balance 12.31.06 27,730.50

PLANNING FUND

Balance 09.30.06 10,809.73
Receipts 27.28
Expenditures .00
Balance 12.31.06 10,837.01

GENERAL SEWER FUND

Balance 11.30.06 73,618.86
Receipts 21,539.50
Expenditures 67,508.31
Balance 12.31.06 27,650.05

SEWER OPERATING & MAINTENANCE

Balance 11.30.06 18,385.24
Receipts 8,783.54
Expenditures 19,194.82
Balance 12.31.06 7,973.96

POLICE PENSION FUND

Balance 11.30.06 489,071.76
Receipts 9,441.67
Expenditures 8,075.59
Acct Appreciation 3,489.45
Balance 12.31.06 493,927.29

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CD REPORT

FUND	CURRENT VALUE 12.29.06	INTEREST 12.29.06	OPENING DATE	CURRENT RATE	RENEWAL DATE	BANK
FIRE TRUCK	\$ 18,906.59	\$ 54.51	9-22-03	3.45 %	9-22-08	NSB
FIRE TRUCK	\$ 28,278.53	\$ 95.42	5-08-05	4.05 %	5-08-08	NSB
PLANNING	\$ 13,717.18	\$ 46.29	5-08-05	4.05 %	5-08-08	NSB
GEN. SEWER	\$ 365,040.92	\$ 1,231.79	5-08-05	4.05 %	5-08-08	NSB
GEN. SEWER	\$ 10,522.44	\$ 28.56	2-28-03	3.25 %	2-28-08	NSB
DEBT SERVICE	\$ 12,132.71	\$ 40.94	5-08-05	4.05 %	5-08-08	NSB
DEBT SERVICE	\$ 92,294.55	\$ 296.87	6-02-05	3.92 %	6-02-10	NSB

Councilman DeMarco moved and Councilman Digiglio seconded to approve the Treasurer’s report and the CD Report. All voted yes. Motion passed.

EMERGENCY MANAGEMENT REPORT

John McArdle stated that on February 12, 19, and 26, 2007 there was a CERT program scheduled at the EMA office. He stated that Council and citizens were invited to attend. He stated that they just have to call the Emergency Management Office to register for the class.

FIRE COMMISSIONER’S REPORT

No report.

POLICE REPORT

Chief Smith stated that they had collected \$1,425.32 in fine money; there were a total of 215 complaints received; and there were 5,711 patrol miles for the month of December. (Copy in Communications Folder)

President Jacobs asked about the DUI reimbursements. Chief Smith stated that once a month they receive a check, which has attachments showing the case number and the defendant. He stated that it was to reimburse the Borough for the Blood Alcohol Test and Lab Test.

Councilman DiMiceli asked about the request that he had made at the last Council Meeting concerning the number of hearings held during the month. Mayor Walck stated that there was a memo put out. He stated that Officer Lutz did not have it ready but she would have it for next months meeting.

Councilman DeMarco moved and Councilwoman Walck seconded to accept the Emergency Management Report and the Police Report. All voted yes. Motion passed.

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HOUSING & CODE ENFORCEMENT OFFICER'S REPORT

Mayor Walck stated how they were busy with a complaint concerning dogs. Solicitor Yurchak stated that Mr. Kennedy met with the Landlord that morning. President Jacobs stated that the odor next door was terrible. He stated that they finally got in touch with the Landlord, who came up from New Jersey that day and he had given all of Council a note stating that he would be back up next weekend and that he was going to try and get a cleaning company to try and eliminate the odors. Councilman DiMiceli stated that the barking dogs were constant. He stated that if they would follow the ordinance, they would be in violation. He stated that they should be cited every time it was violated. President Jacobs stated that she had gotten rid of two dogs yesterday. He stated that there were two smaller dogs upstairs. He stated that they told her that if they were not causing the problem, then she would not have to get rid of them. President Jacobs stated that the dogs could go from the yard into the basement. He stated that the Landlord will have to get something to neutralize the odor from out in the yard.

Mayor Walck stated that Officer Rob Blisard was following up on the cars that were orange tagged and Heritage Glass.

Ms. Brennan asked if they had an ordinance on how many dogs a person could have. President Jacobs stated how that goes back into their zoning ordinance. Ms. Brennan asked if there was an ordinance for when a person was breeding animals. Solicitor Yurchak stated that he thought it was a limit of five. Ms. Brennan asked if a person needs a license to breed in the Borough of Nesquehoning. President Jacobs stated that they do have something. Mayor Walck stated that they could not prove that she was doing it yet. He stated that it was being addressed. Ms. Brennan stated that this lady had come up to her twice about purchasing a puppy in the front of Turkey Hill. She stated that this woman had told her how she was breeding these dogs. She stated that the puppy's eyes were not even opened yet. Ms. Brennan stated that this lady wanted \$450 - \$500 for the puppies. President Jacobs stated that over the last couple of days they had received some information about her selling these puppies.

MAYOR'S REPORT

- Chief Sean Smith – Mandatory legal updates

Councilman Digiglio moved and Councilman DiMiceli seconded to allow the police officers to go to the mandatory legal updates. All voted yes. Motion passed.

- Advertise p-t crossing guards

Councilman Digiglio moved and Councilman DiMiceli seconded to advertise for Crossing Guards. All voted yes. Motion passed.

Mayor Walck stated that he would also like to mention the CERT program. He stated that it was a well taken class. He stated that it was a free class. He stated that there were 27 people from Nesquehoning who went through the class. Councilman Digiglio asked how often they had to get certified on it. Mayor Walck stated that it was once and done. Mr. McArdle stated that there was a rodeo scheduled for April. Mayor Walck stated that once a year they have an event, which will allow them to perform what they were trained to do.

Mayor Walck stated that the Crime Watch was up, running and doing well. He stated that the next meeting would be Tuesday, February 13, 2007 at 7:00 p.m.

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Councilman DiMiceli asked Mayor Walck about the additional request, which were listed on the memo, from Chief Smith. He asked if the training would be done at the Borough with a reply of “Yes” from Chief Smith. Councilman DiMiceli stated how that additional training was a necessity and should also be done. Mayor Walck stated that it was the whole letter, the updates and the training. Chief Smith stated that Detective Beaky would come to the Police Department and recertify all of the police officers.

Councilman DiMiceli moved and Councilman Hawk seconded to include the training from Detective Beaky and CPR/First Aid. All voted yes. Motion passed.

Councilman DeMarco moved and Councilman Digiglio seconded to accept the Housing & Code Enforcement Officer’s Report and the Mayor’s Report. All voted yes. Motion passed.

TAX COLLECTOR’S REPORT

01 December – 30 December 2006

Real Estate	\$ 13,364.01
Occupation	1,077.00
Per Capita	<u>728.00</u>
Total	\$ 15,169.01

EXONERATIONS:

David Kravelk – Deceased
James Kash – Non-resident

Councilman DeMarco moved and Councilman DiMiceli seconded to accept the Tax Collector’s report and the two exonerations. All voted yes. Motion passed.

EXONERATIONS FOR 2006

Per Capita	\$4,770.00 (from Pat Vito)
Occupations	\$3,255.00 (from Pat Vito)

DELINQUENT

Real Estate -	\$34,686.66 (turned over to the County)
Per Capita	\$ 4,090.00 (turned over to Statewide)
Occupations -	\$ 6,015.00 (turned over to Statewide)

Councilman DiMiceli moved and Councilman DeMarco seconded to table the Exonerations for 2006 and approve the Delinquent list 2006 from Pat Vito, tax collector. All voted yes. Motion passed.

APPLICATIONS:

- 12.26.06 William J. Bamford
- 12.29.06 Dustin A. Focht
- 01.08.07 Harry M. Miller, Jr.

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Councilman Stromelo moved and Councilman DeMarco seconded to accept all applications and place them on file. All voted yes. Motion passed.

COMMUNICATIONS:

1. 11.15.07 David A. Hawk – Reappointment to Borough Water Authority

Councilman DeMarco moved and Councilwoman Walck seconded to reappoint David Hawk to the Nesquehoning Water Authority. All voted yes. Motion passed.

Councilman Hawk abstained to the Authority reappointment.

2. 12.18.06 NEPA – Computer & Internet Security Workshop

3. 12.19.06 Balliet Insurance Agency, Inc.

4. 12.19.06 Barry Isett & Associates, Inc. – PA UCC Services

Secretary/Treasurer Ahner stated about the Council Members looking over the information from Barry Isett & Associates, Inc. regarding an alternate Building Inspector for the Borough of Nesquehoning.

5. 12.19.06 The H&K Group – Superpave vs. Marshall Mixes

6. 12.19.06 Office of Commonwealth Libraries – Grant Program

7. 12.19.06 Edward G. Rendell, Governor – Farm Show Public Officials Day Luncheon

8. 12.20.06 Jake Miller – American Gov't Teacher @ PVHS

Secretary/Treasurer Ahner stated about Jake Miller meeting with several of the Council Members concerning local government. She stated that he would like to include local government in his curriculum at the Panther Valley High School.

9. 12.21.06 Mark Nalesnik – Municipal Coordinator Duties

10. 12.21.06 Mark Nalesnik – NEPA LE Task Force Mtg

11. 12.21.06 Pennsylvania State Association of Boroughs – 2007 PA Municipal Yearbook

12. 12.22.06 NEPA – Membership Support

13. 12.27.06 PSAB – How to be the best Borough Secretary

14. 12.27.06 PSAB – Understanding Roles/Responsibilities of the Council Members

15. 12.28.06 R.F. Ohl Fuel Oil – Winter 2007 Newsletter

16. 12.29.06 DCED – Open Meetings/Open Records

17. 12.29.06 DCED – 2007 Municipal Road Maintenance Symposium

18. 12.29.06 DCED – Essentials in Police Operations

19. 01.03.07 Liquid Fence Co. – Pumping Service

20. 01.03.07 Commonwealth of Pa – County of Carbon – Notice of Appeal

21. 01.03.07 Paul E. Kanjorski – 2007 Winter Newsletter

22. 01.03.07 D & A Environmental Inc. – SIR

23. 01.03.07 PA leadership Institute – Path to Excellence in Governance

24. 01.03.07 Councilman DiMiceli – Email – PA Fireman Rate Card

25. 01.05.07 PSAB – Explosives & Pyrotechnics Storage & Regulations

26. 01.05.07 Delaware & Lehigh National Heritage Corridor – Feasibility Study Meeting

27. 01.05.07 Court of Common Pleas – Lake Hauto Club Opinion

28. 01.05.07 Mark Nalesnik – Updated Free Course Offerings

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- 29. 01.08.07 Delaware & Lehigh National Heritage Corridor – Final Report Meeting
- 30. 01.09.07 NEPA – Local Technical Assistance Program
- 31. 01.09.07 DCED – How to Understand Audits and Financial Statements
- 32. 01.09.07 DCED – Police Civil Service
- 33. 01.09.07 DCED – Confined Space Training
- 34. 01.09.07 Mark Nalesnik – Training Opportunity
- 35. 01.11.07 Robert J. Shubeck – Complaints, contents of yard

36. 01.16.07 CC Office of Planning – Resolution for Hazard Mitigation Plan

Councilman DeMarco moved and Councilman Hawk seconded to adopt the Resolution to allow the Carbon County Office of Planning to act on the Borough of Nesquehoning's Hazard Mitigation Plans. All voted yes. Motion passed.

- 37. 01.17.07 Rep. Keith R. McCall – College Aid Workshop
- 38. 01.17.07 PRWA – Annual conference
- 39. 01.17.07 PSAB – Grant Preparation
- 40. 01.17.07 PSAB – 2007 Budgeting: Tools & Techniques
- 41. 01.17.07 Comm of PA – Received of FEMA – Summer '06 Floods
- 42. 01.18.07 D & A Environmental – Statistical Inventory Reconciliation
- 43. 01.18.07 PCCA – UCC training & certification
- 44. 01.18.07 Financial Resource Services – Seminar – New standards for post employment
- 45. 01.19.07 PSAB – Spring Legislative Conference
- 46. 01.22.07 Total Video Products – COSTARS-3 IT Hardware State Contract
- 47. 01.22.07 DCED – Training Program – Planning for Agriculture
- 48. 01.22.07 Princeton Hydro – Water Resources Management Seminar
- 49. 01.23.07 ICMA – Managing Local Government Services

Councilman DiMiceli moved and Councilman Digiglio seconded to approve all communications and place them on file. All voted yes. Motion passed.

BILLS TO BE RATIFIED, EXPEDITURES AND RECEIPTS

Councilman DiMiceli moved and Councilwoman Walck seconded to deposit all receipts, approve all bills to be ratified and pay all other bills including the expenditures of the Home Program. All voted yes. Motion passed.

President Jacobs stated that they will be going into an executive session for personnel reasons at the end of the meeting and they will not be taking any action when they come out.

COMMITTEE REPORTS

1. STREETS

**MARK STROMELO, CHAIRMAN; SAL DIGIGLIO CO-CHAIRMAN;
DON DeMARCO**

Councilman Stromelo stated that they were in the process of moving to the garage on Industrial Road. He stated that the weather was on their side. Councilman Digiglio stated that they should be in the new garage within next two weeks.

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Councilman DeMarco stated that he had seen George Santore and he was doing very well. He stated that they thank everybody for their support. He stated that Mr. Santore was responding well to the treatments. Councilman DeMarco stated about the fundraisers to help defray the cost of the treatments. Mayor Walck stated about the fundraiser on February 9, 2007. Councilman DeMarco stated that the fund raiser was on February 9, 2007 from 6:00 – 9:00 p.m. at the Nesquehoning Hose Company. He stated that the cost was \$5.00 and the music was being donated by Maury Rutch and Tim Perry. Mayor Walck stated that there were 50/50 tickets also being sold. Councilman DeMarco stated that they had opened an account at the Mauch Chunk Trust Bank for George Santore as well.

Councilman Hawk stated that the Water Authority would like to thank the Street Department for all their help that day on the water break on Garibaldi Avenue.

2. SEWER DAVID HAWK, CHAIRMAN; FRANK JACOBS, CO-CHAIRMAN; FRANK DiMICELI

President Jacobs stated that the regulator broke down at the sewer plant and they had to get it replaced. He stated that it was there since they opened the plant.

3. BUILDINGS SAL DIGIGLIO, CHAIRMAN; DON DeMARCO, CO-CHAIRMAN; ROSE WALCK

Councilman Digiglio stated that all their buildings were in good shape.

4. POLICE SAL DIGIGLIO, CHAIRMAN; DAVID HAWK, CO-CHAIRMAN; PUBLIC SAFETY MARK STROMELO

Councilman Stromelo stated that they had received the bill for the vest and wanted to know if they all received them. Chief Smith stated that the other officers had received them but he still had to get measured.

Councilman Stromelo asked Chief Smith if they were going to have the DARE program at the school this year. Chief Smith stated that he was working on it with Turk. He stated that Turk would have to go down to the school and talk to Rose. He stated that they should be able to get in and do ten lessons. Chief Smith stated that he would like to see fourteen but that would have to be worked out with Turk, Rose and himself. He stated about the fingerprint identification program at the end of the year. Chief Smith stated that Turk was out over a year with his foot. He stated that they should hopefully be able to get in there by February/March. He stated that it will only take three months to complete the program.

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

➤ 01.16.07 Central Credit Audit, Inc. – Delinquent Trash Collection Proposal

Secretary/Treasurer Ahner stated that she was talking to Statewide, the company that collects the delinquent per capita and occupational taxes, and one thing that they do was a delinquent trash collection. She stated that they can shut water off for sewer delinquents. She stated that when the trash gets delinquent they have to go through the Magistrate's Office. Secretary/Treasurer Ahner stated that it takes forever to receive payments. She stated how Statewide sent a package in with samples and information concerning the collection. She stated that it would be no cost to the borough because they would tack on their own charges.

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President Jacobs stated that they might get a quicker response then going to the Magistrate. Councilman DeMarco stated about letting the Sanitation Committee look over the information and come back to Council with a recommendation.

6. RECREATION DAVID HAWK, CHAIRMAN; MARK STROMELO, CO-CHAIRMAN; ROSE WALCK

- 01.09.07 Nesquehoning Recreation Commission – Donations to Our Troops in Iraq

Councilman Stromelo stated about dropping donations off at the Borough office or at the Recreation Center on Wednesday night from 5:00 – 8:00 p.m.

7. BUDGET DAVID HAWK, CHAIRMAN; MARK STROMELO CO-CHAIRMAN; FRANK JACOBS

- Pay increases

Councilman Hawk moved and Councilwoman Walck seconded to increase Crossing Guards wages from \$7.50 to \$7.80 per hour and the Custodian wage from \$235.00 to \$243.46 per month.

Mr. Frey asked how come there were no crossing guards down at the Elementary School in the afternoon when the kindergarten children were going to school. Councilwoman Walck stated that the School District sets where they want the crossing guards. Mr. Frey asked why they get to set it when the Borough pays them. Anthony DeMarco stated that the School District was working on it. He stated that it was being looked into. President Jacobs stated that the School pays half of their wages. Councilman Digiglio stated that the Borough has no say in where the Crossing Guards were suppose to be. He stated that Mr. Frey would have to take that up with the School Board.

All voted yes. Motion passed.

Mayor Walck stated that he would ask Council to increase the part-time police officers wages \$.50.

Councilwoman Walck moved and Councilman Digiglio seconded to increase the part-time police officers wages from \$12.00 and \$13.00 per hour to \$12.50 and \$13.50 per hour.

Councilman Hawk stated that even though they did not budget for an increase in their wages, Mayor Walck had talked to him and they will be within the budget.

All voted yes. Motion passed.

Councilman Hawk stated that they had the quarterly review of the Police Pension Fund and it seems to be doing well. He stated that everyone was satisfied with its performance.

8. PURCHASING ROSE WALCK, CHAIRWOMAN; FRANK JACOBS, CO-CHAIRMAN; FRANK DiMICELI

Councilman DiMiceli stated that he would like to thank President Jacobs and Councilman Digiglio for the time they took running to Lowe's and up to the new garage and saving the Borough money. He stated that cooperation was appreciated.

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Wednesday, January 24, 2007 at 7:00p.m., Borough Office

9. FIRE/AMBULANCE FRANK DiMICELI, CHAIRMAN; DAVID HAWK, CO-CHAIRMAN; PUBLIC SAFETY SAL DIGIGLIO

➤ 01.22.07 Alpine Apparatus – Balance due on fire truck

Councilman DiMiceli stated that they would be picking up the Aerial Truck on Friday, January 26, 2007. He stated that Mr. McArdle would probably have it in service by Friday evening. He stated that the radios were going to be installed on Monday, January 29, 2007. Councilman DiMiceli stated that they were not re-installing the David Park headphones. He stated that there was no reason for them because the cab was enclosed. Councilman DiMiceli stated that the Ono Fire Company donated an additional deluge gun. He stated how he thinks that everybody's effort into the purchase of the Aerial Truck saved the taxpayers money. He stated that the total cost of the truck was \$57,500.00. He stated that a new one would have cost them over \$600,000.00. Councilman DiMiceli stated that the truck should give them over 20 years of service.

Councilman DiMiceli asked Mayor Walck if he could ask the police when they were at an accident scene that they make sure the tow truck operators clean up the debris. He stated that the Fire Companies can clean up the minor stuff. He stated that a Fire Company got called back out to an accident after the second tow truck moved a car at second and 54 a couple of weeks ago and said that it was a mess. He stated that there were pieces of plastic on the roadway and hubcaps left there. He stated that in the vehicle code it was the tow truck operator's responsibility to clean up the roadway. Councilman DiMiceli stated that maybe they could have the police just mention it to the tow truck operators that they were responsible for cleaning it up. Councilwoman Walck asked if they should send a letter to the two truck companies. Councilman DiMiceli stated that they could for the ones that were located in town but they would not know who to send it to out of town. He stated that once it was conveyed verbally from the police, they should not have a problem. Mayor Walck stated that they will have a directive out the next day.

Councilman DiMiceli stated that the committee had two meetings, which were very productive. He stated that they plan to have one more meeting before they meet with the representatives, who would be the three fire chiefs and Nesquehoning Ambulance Association asked to substitute Chris Heckman as their representative because Mr. McArdle would be representing the Nesquehoning Hose Company. He stated that they saw no problem with that.

Councilman DeMarco asked what their plans were for the old Aerial. President Jacobs stated that they were trying to get an axle replaced in it. He stated that they cannot move it on its own power. He stated that they were going to sell it. Councilman DeMarco stated that they should not spend any money on advertising. President Jacobs stated that the drive train was worth money. Councilman DiMiceli stated that there was a copy of the Pennsylvania Fireman's with the ads placed in everybody's mail. He stated that somebody might be looking to re-power a tanker or an older fire truck. He stated that he thought it might be a good place to possibly advertise it. Councilman DeMarco stated about it not costing a fortune to advertise because they were not going to get that much for it. President Jacobs stated how they had decided on that when they purchased the new truck that they did not want to throw good money after bad. Mr. McArdle stated that they were looking at axles that would be something close to the gears just to move it on its own power. Councilman DeMarco stated about taking it up to Zaprazny for scrap metal. Councilman Hawk stated that he cannot see spending any more money on it.

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Councilman DeMarco asked how much the rear was going to cost. President Jacobs stated that they re-did the rear and they paid for that. He stated that it was when they said about the axles being \$6,000.00 that they had said not. He stated that they would find one in a junk yard so they can move it under its own power. President Jacobs stated that he agreed with Councilman DeMarco with not spending any more money on it. He stated about putting it on Sonny's scale, with the price of scrap metal that it might be worth it. President Jacobs stated that they have to look at these big truck dealers who might be looking for used engines.

Councilman DiMiceli stated that they have time to decide because the \$12,000 diesel generator on that truck has to go on the new truck and the generator off of the new truck was going to the Borough garage. He stated that it was going to take a couple of weeks to get that stuff done. President Jacobs stated that it will depend on the weather.

JR. RECREATION COMMISSION

No report.

Councilman DeMarco and Councilman Stromelo seconded to accept all the Committee Reports and the Jr. Recreation Report. All voted yes. Motion passed.

NEW BUSINESS

President's Day closed instead of Veteran's Day – President Jacobs stated that the ladies in the office wanted to switch their Veteran's Day off and have President's Day off.

Mr. Dacey stated that the VFW was sponsoring a blood drive on Wednesday, January 31, 2007 from 3:00 to 7:30 p.m. He stated that they would appreciate anyone who could give.

OLD BUSINESS

President Jacobs stated that he did get some information concerning the handicap signs. He stated that they have been very lenient on issuing the handicap signs in the Borough. He stated that from what he understands, some of them do not deserve them. President Jacobs stated how the question was raised about the \$360.00 for the full time handicap parking signs. He stated that the rest of the people who have regular handicap signs pay \$100.00 per year. President Jacobs stated that he had talked to some of the other Council Members about it and they feel that the initial request should be for the \$360.00 but the following years it would drop down to \$200.00.

Councilman DiMiceli asked about the legality. He stated that PennDOT issues the license plates or the placard and if the person was handicapped; he knows that there were ordinances but they also cannot supersede the state law of the vehicle. He stated that if it was going to be a maintenance fee to maintain the spot as far as the cost of the sign initially and painting it. He stated that he does not know if it was even legal. Councilman DiMiceli stated that he thought the prices were a little too high for someone who was legitimately handicapped. He asked why penalize that person \$200.00 per year. Councilman DiMiceli stated that if it cost them \$35 - \$50 a year to paint the lines and they were going to be painted every year. President Jacobs stated that he had called other towns and almost everybody had \$100.00 standard, which anybody with a handicap sticker can park in it.

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President Jacobs stated that he found out from the Handicap Association concerning the two special handicap signs, they have to have their names on them. He stated that he even found out that any vehicle, which has a handicap sticker, can park there. He stated that they cannot ticket or tow the vehicle. He stated that they can only tell them how they were not allowed to park there because it was private.

Ms. Brennan stated how if the person was paying that kind of money to allow someone else to park there. She stated that they were going to apply for a spot up where they live. She stated about people being neighborly. She stated that when someone buys a house, they should have at least one spot out in front of their house. President Jacobs stated that they told him, not that he agreed with it either, but if they pay \$360.00 for a handicap sign anyone with a handicap sticker could park there. He stated that they want that spot for their own purpose and their own well being. He stated that was why they were paying the higher fee. President Jacobs stated that their question was if the \$360.00 was too high or if they should bring it down to the \$200.00. He stated that the other would be \$100.00.

Councilman DiMiceli stated that if there was going to be an annual maintenance fee for a legitimately handicapped person, which they should be reviewed, it should be \$50.00 for a generic space. He stated that \$100.00 a year would be more in line for a private spot. He stated that he does not care what Lansford, Leighton, or Jim Thorpe does.

President Jacobs stated that they will have the street committee look over this and come back next month with a recommendation. He stated that they were holding off on the fees for right now until they come to a decision. He stated that they have a total of 15 handicap parking spaces in the Borough. President Jacobs stated that the gentleman asked him if they reviewed them on a yearly basis, which they should be. He stated that they do not. President Jacobs stated about having someone with the expertise other than the cop going to the property or a doctor's signature to let them know if they were legitimately handicapped. He stated that if anyone was going to a doctor for a number of years, the doctor would sign that handicap application. Mr. Frey stated how the police were to make sure that everything was legal before they got it. President Jacobs stated that they do go out. Mr. Frey stated that they do not trust the police department. President Jacobs stated that he was not saying that.

Councilman DiMiceli stated that they had a review board before and the two people who were on the review board, one passed away and the other lives in the Estates. He stated that they were severely handicapped and when they made a decision; their decision was in the best interest of the people. Councilman DiMiceli stated that if the street committee re-visits that and would decide to come up with a board to review the applications. He stated that they would then come to Council with a recommendation. President Jacobs stated that he did ask the gentleman to send him some additional information. Councilman Digiglio stated that everyone wants a private parking space. Councilman Hawk stated how that was a cheap price to pay for a parking spot.

Mr. Frey asked if they charge Redner's \$360.00 for each handicap parking spot. Council stated how that was private property. Ms. Brennan stated that if they went to their State Representative to get rid of the placards, which hang from the mirrors. Councilman DiMiceli stated that the placards allow the person to use different vehicles. President Jacobs stated that the street committee will get more information and go over it for next month.

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Mr. Angst stated that he would have to agree with Councilman DiMiceli about lowering the fees. He stated about also changing the name from a maintenance fee. He stated that he always felt if they were truly handicapped, they should get it free. Mr. Angst stated that there was a nominal charge for the sign and the painting once a year, which would come to \$25 - \$30. He stated that the other could be \$100.00 and then there would be a separation. Mr. Angst stated that he does not believe that the people who were paying the \$360.00 would have any problem with \$100.00. Mr. Angst stated that he would still recommend that they change the name. Mr. Angst stated that the best program that he had ever seen was one of decals. He stated that everybody living on Catawissa Street would be entitled to a red decal, which means they live there and it entitles them to park somewhere on Catawissa Street. He stated that anyone else would have an hour or two hour time limit if they did not have the red decal. Council stated that they could not do that. President Jacobs stated that they would review the handicap parking fees.

EXECUTIVE SESSION

Council entered into an Executive Session at 8:31 p.m. Council exited their Executive Session at 9:42 p.m.

ADJOURNMENT

Councilwoman Walck moved and Councilman DiMiceli seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:42 p.m.

RoniSue Ahner
Secretary/Treasurer