

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

Wednesday, January 13, 2021 at 6:00 p.m., Borough Office  
114 W. Catawissa Street, Nesquehoning, PA 18240

**ROLL CALL:** COUNCILMEN JACOBS, PAUL, RADOCHA, SABOL III; COUNCILWOMEN FOX, POREMBO; PRESIDENT HAWK & MAYOR KITCHKO

President Hawk called the meeting to order at 6:00 p.m.  
Councilman Sabol was absent.

## **PURPOSE: General Purpose**

President Hawk stated that they will be holding an executive session at the end of the meeting for personnel and possible litigation and that they would be taking actions afterwards.

Attorney Schnell, newly appointed Zoning Hearing Solicitor, introduced himself to the Council members. Attorney Matt Schnell thanked the Council members for the opportunity to serve the Borough as the Zoning Hearing Solicitor. He stated how he has been with Attorney Strubinger's law firm for over 10 years; working as an attorney since 2014. Attorney Schnell stated how he did have ties to Nesquehoning. He stated how it was a good opportunity for him and that he was looking forward to serving the Borough with municipal matters and zoning issues. Councilman Jacobs asked if he served as the Zoning Solicitor for Mahoning Township. Attorney Schnell stated "yes". He stated how he has also dealt with municipalities for other municipal matters. The Council members welcomed him to the Nesquehoning Zoning Hearing Board.

## **1. STREETS MICHAEL RADOCHA, CHAIRMAN; LOUIS PAUL, CO-CHAIRMAN; FRANK JACOBS**

Councilman Radocha stated how they were going to start taking down the Christmas decorations. He stated how they took care of a sink hole on Industrial Road. Councilman Radocha stated how all of the complaints were handled from the week before. Councilman Paul stated that according to the seasonal schedule, they should be keeping up the maintenance on the equipment and on the buildings. He stated how he wanted complaints handled/addressed within 48 hours. Secretary/Treasurer Ahner asked about someone checking the inlet behind Kovatch's garage. Councilman Paul stated how they had taken care of that inlet.

Councilman Paul stated about an inlet at the end of town, by the gas station. He stated how it was in need of repair and how PennDOT has repaired that inlet in the past. Mayor Kitchko stated how the Railroad was patching holes (with cement) by the railroad tracks on Industrial Road / Park Avenue. Councilman Radocha stated how he thought that they were going to be changing that crossing. President Hawk stated how they were supposed to be changing it at some point. He stated how the Railroad was aware that when they do change that crossing, the Borough wants to replace that underground pipe.

President Hawk stated how the Railroad was installing a junction signal for the new bridge down at paradise.

Councilman Jacobs stated how he has received several complaints about the trucks being parked in front of the Borough office, because people were not able to find a place to park to pay their bills.

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### **2. SEWER**

**MARY FOX, CHAIRWOMAN; FRANK JACOBS, CO-CHAIRMAN;  
MICHAEL RADOCHA**

Councilwoman Fox asked Secretary/Treasurer Ahner about the grant money from Willow Lane. Secretary/Treasurer Ahner stated how she was informed that they might not get it until July. She stated how she has forwarded all of the information to Solicitor Yurchak.

Councilwoman Fox stated how she was going to schedule a meeting with Eastern concerning Unit #2, because they had settled on liquidated damages in 2019; however, the Borough has been incurring additional Engineering costs. She stated how there were additional cost for filling, emptying and cleaning the unit as well. Councilwoman Fox stated how they were coming back in, in April, to coat the outer ring with coal-tar, but they were also saying how the moister in the tank was worse with the coal-tar than it was with paint. She stated how the warranty expires August 2021. Councilman Radocha stated how the Borough paid to have a job done and it was not done properly. He stated how they gave them the opportunity to fix it, which they had to, but it was still not being done right and they just want to keep doing more and more.

Councilwoman Fox stated how there was an article in the Borough News about COVID and wastewater treatment plants.

- **Waiving penalties**

Councilman Jacobs stated about the issues that they have been having with the mail. He stated how people were calling because checks were mailed in the middle of December, but the Borough had yet to receive their payment. Secretary/Treasurer Ahner stated how even the certified checks from the bank, which were mailed in the middle of the month had just been received the other day.

**Councilman Jacobs moved and Councilwoman Porembo seconded to waive the penalties for all automatic bank checks and penalties for other late payments received after the end of the month as the post mark was before the end of the month for December 2020, January 2021, and February 2021. All voted yes. Motion passed.**

### **3. BUILDINGS**

**GEORGE SABOLIII, CHAIRMAN; MICHAEL RADOCHA; CO-CHAIRMAN; FRANK JACOBS**

No report.

### **4. PUBLIC SAFETY**

**ROSEMARY POREMBO, CHAIRWOMAN; LOUIS PAUL  
CO-CHAIRMAN; DAVID HAWK**

Councilwoman Porembo stated how they had a Public Safety meeting on December 18<sup>th</sup>, but they will need to schedule another meeting for different items that they needed to discuss. President Hawk stated about the code issues at 90 E. Catawissa Street and 571 E. Center Street. Councilwoman Porembo stated how they were trying to go through their ordinances to see which ones might need to be updated to give the police added teeth to enable them to get rid of the blight. President Hawk stated how Chief Smith was doing a very good job with getting rid of the abandoned vehicles.

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Councilman Jacobs stated about finally setting a date to get rid of the firearms. Secretary/Treasurer Ahner asked if everyone was qualified on the new handguns. Mayor Kitchko stated "yes". He stated how Secretary/Treasurer Ahner and President Hawk would have to make arrangements and schedule a date.

### **5. SANITATION      LOUIS PAUL, CHAIRMAN; ROSEMARY POREMBO, CO-CHAIRWOMAN; MARY FOX**

Councilman Jacobs stated how they should get Solicitor Yurchak to review the contracts with Tamaqua Transfer to find out what their options were if they were not recycling the material properly.

### **6. RECREATION      GEORGE SABOL III, CHAIRMAN; MARY FOX, CO-CHAIRWOMAN; DAVID HAWK**

Councilwoman Fox stated how they have a Recreation Committee meeting scheduled for 1:30 p.m. on Thursday. She stated that they will be meeting at the Borough office before going to Johnson Park.

### **7. BUDGET/ FINANCE      ROSEMARY POREMBO, CHAIRWOMAN; FRANK JACOBS CO-CHAIRMAN; DAVID HAWK**

Councilwoman Porembo stated that when she read through the minutes from the last meeting, Secretary/Treasurer Ahner had made mention about a RFP from Carbon Engineering for Diaz Avenue. She stated how they would be looking for the RFP in order for the Council Members to know what was going to be spent on engineering cost for Diaz Avenue, with no surprises. Councilman Paul stated how Diaz Avenue was just an overlay and that they did not need an engineer. Councilman Radocha stated how the engineer had to write up the specifications for the project. Councilman Jacobs stated that when they go through CDBG, they needed an engineer. Councilwoman Porembo stated how they were trying to protect the Borough, so the engineering cost did not escalate.

**Councilwoman Fox moved and Councilwoman Porembo seconded to request a free proposal for design and construction services from Carbon Engineering for the CDBG/Diaz Avenue. All voted yes. Motion passed.**

### **8. PERSONNEL/ SAFETY      MARY FOX, CHAIRWOMAN; ROSEMARY POREMBO; CO-CHAIRWOMAN; FRANK JACOBS**

Councilwoman Fox asked if they had heard anything from the FOP on contract negotiations. Secretary/Treasurer Ahner stated "no".

Councilwoman Fox asked if they were able to write up an employee for damages that they were doing to Borough equipment. She asked about pre-trip inspections reports and if the employees were being held accountable for all of the damages. Councilman Jacobs stated that when they damage personal property, they were sent for a post-accident screening. Councilwoman Fox stated how they should also have made the new part-timer sign off that he was shown what to do with the Borough vehicles/equipment. She stated how he would not be able to come back to say that he was not shown something.

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Councilman Paul stated how he had talked to the Borough crew after the last meeting. He stated how he had informed them as to which truck and which area they were supposed to be in during any snow storms. Councilman Paul stated how they needed to inform the part-time driver as well. Councilwoman Poremba stated about following that up with something in writing.

### **EXECUTIVE SESSION**

The Borough Council Members entered into an Executive Session at 7:11 p.m. for personnel and possible litigation reasons. The Council Members exited their Executive Session at 7:48 p.m.

- **Approve Lawsuit Settlement**

**Councilwoman Fox moved and Councilman Jacobs seconded to approve the Lawsuit Settlement on the recommendation of the Insurance Company's Attorney. All voted yes. Motion passed.**

**Councilman Jacobs moved and Councilman Paul seconded to discontinue with the cleaning services of Grace Whildin effective January 31, 2021. All voted yes. Motion passed.**

**Councilwoman Poremba moved and Councilwoman Fox seconded to send a letter to a Borough employee in regards to the expiration of his health benefits. All voted yes. Motion passed.**

### **ADJOURNMENT**

**Councilman Sabol moved and Councilman Jacobs seconded to adjourn the meeting. All voted yes. Meeting adjourned at 7:51 p.m.**

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**RoniSue Ahner**  
**Secretary/Treasurer**