

MINUTES FOR SPECIAL MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, September 11, 2019 at 6:00p.m., Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN JACOBS, RADOCHA, SABOL III; COUNCILWOMAN POREMBO; PRESIDENT HAWK; & MAYOR KITCHKO

President Hawk called the meeting to order at 6:00 p.m.

Councilman DeMelfi and Councilwoman Fox were absent.

Councilman Sabol arrived late.

PURPOSE: General Purposes

President Hawk stated that they would be holding an Executive Session at the end of the meeting for Personnel Matters.

1. STREETS MICHAEL RADOCHA, CHAIRMAN; GEORGE SABOL III, CO-CHAIRMAN; FRANK JACOBS

Councilman Radocha stated how the Borough crew had patched the one pot hole on Industrial Road, but did not understand how they could have missed the other two. He stated how he had driven over the patch and they did not do a bad job. Councilman Radocha asked if they were paying/renting the Asphalt Zipper by the day. Secretary/Treasurer Ahner stated “yes”. Councilman Radocha asked why they did not use it, use it, use it and then return it. Secretary/Treasurer Ahner stated that as far as she knew, they did. She stated how they were not being charged for the weekend. Secretary/Treasurer Ahner stated how they had picked up the Asphalt Zipper on Thursday. She stated how she thought that the only day they did not use it was Monday, because of the water line break. Councilman Radocha stated how he did not know how many patches they were doing. President Hawk stated how he did not think that they used it Monday, because they had to move the dirt pile. Councilman Radocha stated how certain Councilmen set that deal up and it took them a whole day because they created a problem. President Hawk stated that getting the dirt was not the problem; where they put the dirt was the problem. Councilman Jacobs stated how he had told them years ago not to put anything in that area.

Councilman Radocha stated about a mill patch on Coal Street. Councilman Jacobs stated how he thought that they had finished milling. He stated how they milled for the Water Authority at the bottom of 12th Avenue and Park Avenue along with something at their tank. President Hawk stated how they had asked them to mill going up to the water tank. Councilman Radocha stated how he hoped that they were not planning on using the Vac Truck to suck the holes out. President Hawk stated how Mr. Pilla had asked him to bring up about the Borough crew not using the Vac Truck to suck up the millings. Councilman Radocha stated how the Vac Truck was made to suck up a slurp. He stated how it was not meant to pick up dry material. Secretary/Treasurer Ahner stated how Mr. Pilla and Mr. Staehle were discussing it the other day in her office, but he wanted clarification. President Hawk stated about the email he had sent out concerning what happened when Mr. Pilla went to use it at the lift station. He stated how Mr. Pilla eventually got them to fess up as to who did it and they agreed on how they would not do it anymore. President Hawk stated how they were allowed to use it for inlets, but they were not allowed to suck up millings.

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Councilman Radocha stated how it seemed that Mr. Staehle did not want to call him to keep him informed of what was going on. He stated how he did not have any missed calls from him. President Hawk stated how Mr. Staehle has told him that he has tried calling Councilman Radocha but he did not answer. He stated that Mr. Staehle has offered to show him his phone. Secretary/Treasurer Ahner stated to Councilman Radocha how Councilwoman Fox has made the same remarks that she was not able to get in touch with him either. Councilman Radocha stated how they have not received committee reports from Mr. Staehle at the last two meetings. He stated that as far as he was concerned, Mr. Staehle needed to keep a daily log as to who was doing what, because they were having destruction on the trucks. Councilman Radocha stated how they need to know who was on what. Councilwoman Poremba stated that in the new contract, they do spell out everything that the crew leader would be doing. She stated how they were going to abide by the new contract.

Councilman Radocha stated about the Borough crew cutting the grass at the Mill Street Dog Park. He stated how it has been growing pretty good.

Councilman Sabol stated how Councilman Jacobs has made the remark that he did not get involved with streets and how it was his own fault. He stated how they could give him a call. Councilman Radocha stated to Councilman Sabol how the Borough crew avoids calling him. Councilman Sabol stated to Councilman Radocha how he has to work. Councilman Radocha stated how the Borough crew does not call him but they say that they do. Councilman Sabol asked what that was all about. President Hawk stated how Mr. Staehle will call him and tell him that he tried calling Councilman Radocha but he did not answer. Councilman Radocha asked Councilman Sabol that if he called him and he did not answer, did he call him back. Councilman Sabol stated “yes”. He stated how he does answer most of the time. Councilman Sabol stated that when he calls Mr. Staehle, he can never (ever) get him. He stated how they should get pagers.

Councilman Sabol stated how the Borough crew was milling and when he asked Councilman Radocha about it, the only milling he was aware of was the one by the Co-Generation and the one on 12th Avenue. Councilman Radocha stated how they had milled a spot on Coal Street. Councilman Jacobs stated how they milled a spot by Heritage Frame. Councilman Sabol stated to Councilman Radocha on how apparently he did not know all of the spots but Councilman Jacobs did. He asked Councilman Jacobs why he did not call him about stuff like that. Councilman Jacobs stated that 2 – 3 years ago, and Councilman Radocha had known about it, the one that the Co-Generation and the one at Heritage were supposed to be done. He stated that Mr. Staehle called him last week about how they were getting the Asphalt Zipper and asked him to show him how far they needed to mill in those two areas, which they took a can of paint and marked them off. Councilman Jacobs stated how it might have been three years ago when they had talked about doing those areas, when he was chairman of streets. Councilman Radocha stated how there were two more spots on Industrial Road that they did not do. Councilman Sabol stated to Councilman Jacobs how it did not matter what happened or what did not happen 2 – 3 years ago when he was chairman. He stated to Councilman Jacobs on how he was not the chairman nor was he the co-chairman. Councilman Sabol stated how he would like to be informed about something. He yelled at Councilman Jacobs on how he was tired of him. Councilman Jacobs stated how he was tired of him too. He stated how he did not need that.

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Councilman Radocha stated to Councilman Sabol how he had told him before that if there was something that he needed done, he could address them directly. Councilman Sabol stated to Councilman Radocha that his problem was not with him. He stated how it was with Councilman Jacobs. Councilman Radocha stated how he thought that they were fighting because of the chain of command, which the Borough crew was not following. He stated how they have to get something accomplished. Councilman Sabol stated that if there was not an ordinance, then there should be a policy. President Hawk stated how they could not pick and choose who they wanted to talk to and that was what they were doing. He stated how they have the street committee bickering amongst themselves because of who they were or were not talking to. Councilman Sabol got irate with Councilman Jacobs in regards to things that were/were not said to the Borough crew.

Mayor Kitchko stated about a complaint that he had received concerning the streets/sanitation. He stated how the garbage truck driver was driving the wrong way on W. High Street to pick up the garbage. He stated how he was driving so that the parked cars were on the driver's side of the truck. Councilman Radocha asked what was wrong about it. Secretary/Treasurer Ahner stated how they had received a complaint from a resident, who actually called the police. She stated that from what she was told, the police officer could cite the driver for going the wrong way on a one way street. Councilman Radocha stated how he was tired about hearing about the issues on High Street. He stated how they should pass an ordinance for no parking on garbage days. Mayor Kitchko stated how that was what Officer Wutke had suggested. Councilman Radocha stated how they should also have no parking for snow storms also. President Hawk stated how they were not able to go against the vehicle code to allow them to go in the wrong direction.

Councilman Jacobs stated about the curbing on Willow Lane. Councilman Radocha stated how the letters were sent out. Councilman Jacobs stated how they do not know which properties were being done by which contractors. Secretary/Treasurer Ahner stated how she had given a list of all the property owners to both contractors. She stated how the property owners did not have to go with either of those two contractors, who were listed on the letter. Secretary/Treasurer Ahner stated how they could pick somebody totally different. Councilman Jacobs stated how the contractor or property owner should be contacting the Borough with who was doing the curbing.

Councilman Radocha asked what they were going to do with Willow Lane. He stated how they should just leave it as modified over the winter. Councilman Radocha asked why they should waste \$10,000.00 on blacktop to rip it back out. Councilman Jacobs stated how it was going to be ground up. Councilman Radocha stated how Mike Tirpak had not come back to them with a price yet. He stated about talking to the contractor to find out if they would be able to put 4" of back material down. Councilman Radocha stated how Councilman Jacobs would be getting all the calls because his name was the only one in the book. Councilman Sabol stated loudly how he now had business cards in the front office so people would be able to contact him for Street, Sanitation, etc.

Councilman Sabol stated how the Sewer department should be paying for the entire project on Willow Lane. Councilwoman Poremba stated about the grant money they were receiving for the project on Willow Lane. She stated about sewer paying for their share and other funding coming from the General Fund.

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Councilwoman Porembo stated how they did have a list of streets that were in need of repair. She stated how they should have a plan of action for those streets. A very loud discussion transpired concerning the Borough crew (Mr. Staehle) and who should be/was calling who.

Councilman Sabol stated how he had asked for a copy of the handicap ordinance. (Yelling) He stated how it was not for him; how it was somebody else who was asking about it. Secretary/Treasurer Ahner stated how she was getting him a copy of the ordinance.

President Hawk stated about the Water Authority workers helping Mr. McArdle to get the dry hydrants installed. He stated how he was going to bring it up at the Water Authority Meeting, because he knew that the Borough crew was getting behind on everything.

President Hawk stated how he also wanted to remind them about the pipes up at the Estates for the railroad. Councilman Jacobs stated how he knew that they got the elbows. He stated how they have to contact the railroad before they work on them.

Councilman Radocha stated that they give the Borough crew a clothing allowance and supply them with rain gear. He stated how they could be working in the rain.

Councilman Sabol stated how the Borough crew was milling on the Water tank road. He asked who was paying for it. President Hawk stated how the Borough was free to bill the Water Authority for it. Councilman Sabol asked if they were going to bill them. Councilwoman Porembo asked who was paying to fix the water line by the Borough garage. President Hawk stated how the workers do help each other. Councilman Jacobs stated how the Borough usually gets the blacktop and bills the Water Authority for what they used. Councilman Sabol stated how if that was a policy, he would like to see it written. Councilman Radocha stated how there were a bunch of things to look at before they write that policy. He asked if the Water Authority pay for sewer or garbage. He asked if the Borough pays for water. Councilman Radocha stated how they do not want to be throwing money back and forth. Councilman Sabol asked who was going to investigate it. Councilman Radocha stated to Councilman Sabol that since he was the chair of buildings, he needed to check to see what they had to pay for in which buildings. Secretary/Treasurer Ahner stated how they pay a water bill for the Borough garbage. She stated that the Borough does not bill the Water Authority for any sewer or garbage. President Hawk stated how they have sewage at the treatment building and at the garage.

Councilman Radocha asked about the fire companies. President Hawk stated that he did not think that they charged the fire companies. He stated about coming up with a list of who pays for what. President Hawk stated that any street openings that the Water Authority has, they usually get charged for the materials. He stated that he could see charging the Water Authority for the use of the rental of the Asphalt Zipper. Secretary/Treasurer Ahner stated that the only time they charge the Water Authority for wages was if they were out on overtime. Councilman Radocha asked about the multiple openings and if they were getting the blacktop delivered or if they were picking it up. President Hawk stated how they did have one truck deliver. Councilman Radocha stated how that was for the large hole, but he was referring to the small holes. He stated how he has a bunch of guys who now how to work, but they could not run around to fill six holes off a tri-axle. Secretary/Treasurer Ahner stated about the Street Committee meeting to discuss all of that.

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Councilwoman Poremba asked if they had rescheduled the Street Sweeper. Secretary/Treasurer Ahner stated that Mr. Staehle did talk to Nevin Frey from Mahoning Township to get the Sweeper scheduled for the beginning of the month.

2. SEWER MARY FOX, CHAIRWOMAN; FRANK JACOBS, CO- CHAIRMAN; MICHAEL RADOCHA

Councilman Jacobs stated how they still did not meet with Eastern Environmental. He stated how the meeting was scheduled for the 19th. Secretary/Treasurer Ahner stated how they would not be able to meet on the 19th. She stated that they needed to schedule the meeting for either the 20th or the 25th for 1:30 / 2:00 p.m. Councilman Jacobs stated how the 20th would work for him. Secretary/Treasurer Ahner stated how it was scheduled for Friday, September 20th at 2:00 p.m. at the Sewer Plant. Councilman Radocha stated how they were trying to get away from the liquidated damages because the Borough was not paying them as per the contract.

Councilman Sabol asked if Ms. Richelo was done. Councilman Jacobs stated “yes”. Councilman Sabol stated how they had decided not to replace her. Councilman Radocha stated how they were not going to replace her right away. President Hawk stated how they renewed the contract with Water-Mechanics. Councilman Sabol stated about the letter from Carbon Engineering and asked if they were considering that offer. Councilman Jacobs stated “no”.

Councilman Radocha stated how Mr. Pilla was going to start at True Value, hooking up the storm sewer. He stated how his brother was going to dig. Councilman Sabol stated that if there was any decent fill, he would take it on his property. He stated that if he could not beat them, he would join them. Councilman Radocha stated how Mr. Pilla had asked him to find out if he wanted any fill. Councilman Sabol stated “absolutely”. Councilman Radocha stated to Councilman Sabol that when he seen him digging, he should stop and take the driver up to his property to show him where to dump.

3. BUILDINGS GEORGE SABOL, III, CHAIRMAN; FRANK JACOBS, CO-CHAIRMAN; MICHAEL RADOCHA

Councilman Sabol stated how he had asked two contractors about giving him a price for patching and painting the apartment. He stated that David Bonner had given him a verbal quote of \$2,500.00. Secretary/Treasurer Ahner stated about getting it in writing.

Mayor Kitchko stated about the one ceiling block in the police station and how it was covered in black mold. Councilman Sabol stated how he had forgotten about it and that he would take a look at it the following day.

Councilman Sabol stated how they might go with vertical siding instead of the stucco on the police station. He stated how they should be putting the stuff in writing, use the work orders.

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4. PUBLIC SAFETY

**ROSEMARY POREMBO, CHAIRWOMAN; DAVID DeMELFI
CO-CHAIRMAN; DAVID HAWK**

Councilwoman Porembo stated how they had met with some individuals from the Fire Company. She stated how the Public Safety was putting out an invitation to a meeting to discuss different items. Councilwoman Porembo read from the invitation “. . . how they would like to invite the administrative team and any members of the Fire Company to discuss the present strength and weaknesses and how to make their Fire Services better. They would like to discuss resources (members, money and equipment), command center and structure in reference to responding to fire calls, ENFPA compliance to equipment, fundraisers and run cards”. Councilwoman Porembo stated how they would like to get everybody together to see where they were short or where their weaknesses were and to see where they could go from there. She stated how she also wanted to see how much money was in the budget that the Borough could afford to provide them with the things that they could set a standard for Fire Protection. Councilwoman Porembo stated how they have all seen consolidation of fire companies all across PA. She stated that she does not know if they were headed in that direction. Councilman Radocha stated how they were a candidate for consolidation.

Councilman Radocha asked if they had changed the ordinance for the registration on abandoned vehicles. Councilman Jacobs stated “yes”. Councilman Radocha asked if they were doing anything about it on private property. Councilman Jacobs stated how he thought that private property was a different situation. Councilman Sabol stated about the two vehicles on Coal Street. President Hawk stated how he thought that their ordinance . . . Councilman Radocha stated about the pick-up truck. Secretary/Treasurer Ahner stated how she has been told that if a vehicle was parked on private property, it was the property owner’s responsibility to have the vehicle towed. President Hawk stated how he thought that the ordinance read about any vehicles on private property had to be inspected and registered.

Councilman Radocha asked about the ordinance regarding repairing vehicles on a public street. Secretary/Treasurer Ahner stated how she was asked about that ordinance before and she could not locate it. Councilwoman Porembo stated how she remembered reading it. President Hawk stated how he remembered reading it also. He stated how they might have read it as a draft but never adopted it.

Councilman Sabol asked if anyone had addressed the issue of meeting with the Prison Board or the County Commissioners. Councilwoman Porembo stated how it was approved to send the Public Safety Committee and the Mayor to meet with them. She stated how they have to set up a date to meeting with them. Mayor Kitchko stated how he had talked to Commissioner Nothstein about the problems at the prison. He stated how the Commissioners were aware of the issues and had met to discuss it. Mayor Kitchko stated how Commissioner Nothstein told him that the Commissioners were holding an Executive Session the following week to meet with the Prison Board to discuss the issues. He stated how they will be able to get a meeting scheduled after they hold that meeting. Councilman Sabol asked if they were going to discuss all of the calls at the prison that the Nesquehoning Police Department has to answer. Mayor Kitchko stated how they were going to discuss the problems at the prison first.

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Mayor Kitchko stated that during his conversation with Commissioner Nothstein he had made mention about how often the Nesquehoning Police Department was called to the prison. He stated how he was told that the State had a Bill in the Legislature to give the Sheriff's Department more authority (for arrests, etc.) at the prison. Councilman Sabol stated how the DA's office should be handling all of it. Councilman Jacobs stated about the County Detective. Mayor Kitchko stated how there were other Counties who did oppose it, voted it down. He stated how they were going to reintroduce that Bill into the Senate. Councilman Jacobs stated that from what he had heard, they voted it down in the past because the State Police did not want to give any more power to the Sheriff's Department. President Hawk stated how they should let the Commissioners have their meeting with the Prison Board and the Public Safety Committee would meet with them afterwards. He stated how they were not going to limit themselves to one subject. Secretary/Treasurer Ahner asked if the Police Department/Arresting Officer could be the entity/individual who handles any disputes/issues that might occur at the prison. Councilman Jacobs stated how there was an incident, which involved drugs, with a woman from Palmerton. He stated how the Nesquehoning Police were at the prison for hours dealing with it. President Hawk stated how Secretary/Treasurer Ahner was asking if the Palmerton Police, the arresting department/officer, could have handled that issue. Councilwoman Porembo stated how she believed that they were called because the prison fell within the Borough's jurisdiction. President Hawk stated that when he was a police officer; if a police officer was in another jurisdiction and witnessed a crime, he could act on that offense. He stated how other police officers could not sit in Nesquehoning to catch people speeding, but if they were in the Borough of Nesquehoning on official business and they were party to a criminal event, they could act on it.

Councilwoman Porembo asked if they were going to do anything in regard to the dangerous domestic animals (Animal Control Ordinance) ordinance at the next meeting. Mayor Kitchko stated how there might be one or two things that would need to be changed. He stated how there was something in there that stated how the Nesquehoning Police would take care of the dog and they did not have any transport capabilities or facilities for dogs.

President Hawk stated about the complaint they received against a crossing guard. He stated how the crossing guard stepped out between a line of cars to allow a child to cross the street. President Hawk stated how the complainant claimed how she had to slam on her brakes and almost got rear ended. He stated how there was no reason why he could not have waited until the line of cars went through before he went out into the street. President Hawk stated how the crossing guards were there to assist people (children) when crossing the street and to make sure that they were going it safely. He stated how they were not there to subvert the rules of the vehicle code to allow kids to come from a half of a block away to cross the street without having to break a stride. President Hawk stated that at a traffic light, where there were no pedestrian signs; it was the duty of the pedestrian to wait to cross at the light. He stated how there was no reason he should be stopping cars against the light to let people cross the street. Councilman Sabol stated about the Mayor talking to the crossing guards to explain that to them.

5. SANITATION GEORGE SABOL III, CHAIRMAN; ROSEMARY POREMBO, CO-CHAIR, MARY FOX

Secretary/Treasurer Ahner stated how the recycling was going to start on Monday, October 7th for Lake Hauto and Tuesday, October 8th for the rest of town, with every other week collection.

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There was a discussion about the budget and if Sanitation was going to be able to handle the increase in expenses with the recycling.

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

President Hawk stated how the Committee would be meeting on September 17th. He stated that the next Recreation Commission meeting was scheduled for October 7, 2019 at 7:00 p.m.

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

Councilman Jacobs stated how they have to schedule a Committee Meeting to discuss the 2020 budget.

Councilman Sabol asked if he was allowed to go out and buy something for buildings without having to have a formal meeting. He stated how he was told before that if it was in reason. Councilman Sabol asked if he could have an amount as to what he could spend without having to get a motion. He asked “what was in reason”. Councilman Sabol stated how Councilman Jacobs purchases things for streets and sewer and it never get brought before Council. He asked what amount he could spend without asking permission as the Chairman of Buildings. Councilman Sabol stated how he would like a policy, something formally in writing. Councilman Radocha stated how a reasonable amount should be discussed.

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

No report.

EXECUTIVE SESSION

The Borough Council Members entered into an Executive Session at 7:24 p.m. for personnel reasons. The Council Members exited their Executive Session at 8:05 p.m.

ADJOURNMENT

Councilman Jacobs moved and Councilman Radocha seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:05 p.m.

RoniSue Ahner
Secretary/Treasurer