

MINUTES FOR SPECIAL MEETING OF NESQUEHONING BOROUGH COUNCIL

Wednesday, February 8, 2023 at 5:30 p.m., Borough Office

114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILMEN/COUNCILWOMEN FOX, GUARDIANI, HEANEY, KUBA, NALESNIK, PRESIDENT HAWK & MAYOR KATTNER

President Hawk called the meeting to order at 5:33 p.m. He stated how they started their meeting early to hear the presentation for Johnson & Jacobs Memorial Park.

Councilman Paul was absent.

PURPOSE: Committee/Workshop Meeting

Michael Lachman – Barry Isett & Associates – gave his 30 minute presentation on the design layout for the upper section of Johnson & Jacobs Memorial Park. The project would include leveling the area, laying blacktop, installing ADA ramp and basketball/pickle ball court. Mr. Lachman gave the Council members the time line for bidding through the completion of the project, which would be around August 2023. There were discussions concerning color schemes, fencing, and removal of the stone wall along with a few other items.

1. STREETS BRUCE NALESNIK, CHAIRMAN; LOUIE PAUL, CO CHAIRMAN;
FRAN HEANEY

Councilman Nalesnik stated about the damage to the Borough garage door and how he was looking to see if they could replace panels rather than the entire door. Councilwoman Fox asked if it was installed by Palmerton Doors. Councilman Nalesnik stated that nobody knows, because they have been on for so long. He stated how he wanted to get another garage door opener as well.

Councilman Nalesnik stated how they had received several applications for the Borough worker position and they were going to start interviews on Thursday.

2. SEWER MARY FOX, CHAIRWOMAN; BRUCE NALESNICK, CO-CHAIRMAN;
FRAN HEANEY

Councilwoman Fox stated how they wanted to start on the infiltration in the Spring/April. Councilman Nalesnik asked about the ground work for the generators. Councilwoman Fox stated how they were waiting on Bill McMullen, because he had put some feelers out. Councilman Nalesnik asked if Rush Township was going to work with them. Councilwoman Fox stated “yes”. Councilman Nalesnik asked if the F250 was listed on Municibid yet. Secretary/Treasurer Ahner stated how she was still waiting for the mileage for the truck, because Mr. Pilla was not able to get the truck started.

3. BUILDINGS & GROUNDS BRUCE NALESNIK, CHAIRMAN; LOUIE PAUL, CO-CHAIRMAN;
ABBIE GUARDIANI

Councilwoman Kuba asked Councilman Nalesnik about getting some florescence light bulbs for the Recreation Center. Councilman Nalesnik stated how he would have Mr. Pilla check them. Councilwoman Guardiani asked about doing something with the carpet in the front hallway at the Borough office. Councilman Nalesnik stated how he did get quotes last year to replace the carpet and to paint the paneling.

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4. POLICE & PUBLIC SAFETY: LOUIE PAUL, CHAIRMAN; LOIS KUBA, CO-CHAIRWOMAN; DAVID HAWK

Councilwoman Kuba stated how the Civil Service Commission held their meeting and how they did reorganize; Mike Lopata – Chairman, John Zlock – Vice-chairman, Joe Guardiani – Secretary and she was the alternate. She stated how the Commission was interested in attending a Seminar on May 16th from 9 a.m. – 4 p.m. in Quakertown at a cost of \$150.00 per person. Joe Guardiani stated how the current rule was written in 2006. He stated how they have to bring the current rule up to speed, because there was a new rule issued by the state in 2017. Mr. Guardiani stated how there were a few questions that were asked of them by Chief Weaver. He stated how they would have to discuss some of those request; one of which was the elimination of the polygraph. Mr. Guardiani stated that if the Borough would want to eliminate the polygraph, the Commission would have to revise the current rule, which would then have to be adopted by Council. Councilwoman Kuba stated how there were several towns that do not administer the polygraph testing.

Councilman Nalesnik asked Mr. Guardiani his feelings on the polygraph testing. Mr. Guardiani stated that the rule, which was adopted by the Borough, should be followed to the letter. He stated how they need to be consistent to whatever the rule was. Mr. Guardiani stated that if they were to do away with the polygraph testing, they might want to consider including a psychological test instead. Councilwoman Fox asked if they had some applicants who had got caught up on the polygraph. President Hawk and Secretary/Treasurer Ahner stated “yes”. Secretary/Treasurer Ahner stated how the polygraph was not necessarily a pass or fail kind of test, but what the applicants’ omissions were while taking the polygraph. Councilman Nalesnik stated how they had waived the polygraph for the emergency hires. Councilwoman Guardiani stated how they had waived everything for the emergency hires. Mr. Guardiani stated how the psychological testing was not written in the current rule. Councilman Nalesnik stated how they could include that the applicant should have to take a psychological test at the request of the Civil Service or Borough Council. Secretary/Treasurer Ahner asked if someone would need the psychological evaluation in order to get their MOPEC number. Mayor Kattner stated how he believed that they did need that psychological evaluation for their MOPEC.

Councilwoman Kuba stated how Chief Weaver had also asked if he could administer the physical agility test. Mr. Guardiani stated how he had looked through the rule and it did not state that they have to use an independent contractor, a MOPEC certified trainer or a physical fitness examiner, but it had to be somebody who was independent of the hiring process. He stated how some municipalities were using the Civil Service Commission to administer the test. Mr. Guardiani stated that he had attended a Civil Service seminar in the past and they had made it very clear on how the training was not part of their role, because the Commission members would be judge and jury if there was a hiring grievance filed based on if an individual felt that there was a violation of their rights during the hiring process. He stated how the same allegations could be made if the chief was administering the testing or running the background checks. Mr. Guardiani stated how they have always used the Police Chiefs Association to administer the testing.

Mr. Guardiani stated how the COG (Council of Governments) had been discussing holding Civil Service testing in a consolidated fashion. He stated how they would offer the test several times a year, which would be independent of the Boroughs.

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Councilwoman Kuba stated about the advertisement for the position. Secretary/Treasurer Ahner stated how she did not get it advertised in the news paper yet. She stated how Chief Weaver wanted the applications in by Friday, March 17th, which was over a month away. Councilwoman Kuba stated how they wanted to give them 30 days. Mr. Guardiani stated that in previous Civil Service meeting, they discussed the frustration with only advertising in the local news paper. He stated how they wanted to have an alternative way to advertise, which was through the PA Police Chiefs Association at a cost of \$200.00 per posting.

The next Civil Service Commission Meeting was scheduled for March 7, 2023 at 5:30 p.m.

Mayor Kattner stated how the Police Department needed two more chairs. He stated how they have two chairs that were falling apart. Mayor Kattner stated how they had received the donations last year that they could use towards the purchase of the chairs. Councilwoman Kuba stated how Kathy Reaman had promised her some chairs and she would check with her next week.

Councilwoman Kuba stated about checking with Keith Heckman to see if he was able to attend their workshop meeting in March. She stated how they had talked about discussing the Leighton Ambulance's request with him.

Councilwoman Kuba stated how they were going to meet with the fire companies again to make plans for another boot drive in the Spring.

Councilwoman Fox asked about the police regionalization. Secretary/Treasurer Ahner stated how she had submitted the information for the Borough. She stated how she had talked to Lansford's Secretary and they had to get their information submitted.

Councilwoman Fox asked Secretary/Treasurer Ahner about the benches that were placed out front of the Borough office. Secretary/Treasurer Ahner stated how George Sabol had purchased them at the COG auction and cleaned them up and placed them out front. She stated how one of those benches was now sitting in Station Park.

5. SANITATION & QUALITY OF LIFE ABBIE GUARDIANI, CHAIRWOMAN; LOIS KUBA, CO- CHAIR- WOMAN; MARY FOX

Councilwoman Guardiani stated how Sam Kitchko had spoke at their meeting and gave them a sample Resolution to adopt concerning the sewage/sludge that was being dumped in Carbon County. She stated how the Resolution talks about the sewage sludge that has been shown to contain bacteria such as Salmonella, EColi, enteric worms, Covid and Monkey pox, heavy metals, pharmaceuticals and cancer-causing chemicals as well as other contaminants, which are not eliminated by the treatment applied to the Class B sewage sludge. Councilwoman Guardiani stated how she went to the CDC website and the National Institute for Occupational Safety Health websites to research the Class B bio-solids. She stated how all of those things were in the Class B bio-solids, but it was being treated. Councilwoman Guardiani stated how another section of the Resolution talked about the deer meat being contaminated. She stated how she had researched that as well. Councilwoman Guardiani stated that in Fairfield, Maine, there was a very large portion of hunting area, which had been using Class B bio-solids since the 1990s. She stated how they were not allowed to hunt in that area or eat any of the deer meat, because it was contaminated.

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Councilwoman Guardiani stated how Class B could potentially be harmful and could potentially not, if used properly. She stated how it could be sprayed or pelletized and spread onto the fields, which should be restricted for up to 1 year. Councilwoman Guardiani stated how a Resolution was nothing, but she would not want it running off onto her property. Councilman Nalesnik asked why they were using it. Councilwoman Guardiani stated how it was cheaper. Councilman Nalesnik asked if East Penn Township was allowing them to use it. Councilwoman Guardiani stated how she did not know. Councilman Nalesnik asked if they were going to sit and tell East Penn Township that they should not be allowing it. Councilwoman Guardiani stated that it was her recommendation to adopt the Resolution, which was only stating how they preferred that it was not used. She stated that the Borough Council was going on record that Class B bio-solids should not be used in the Borough.

Councilwoman Guardiani stated how she met with Joe Guardiani, June Lawton, Chip Stalega and Secretary/Treasurer Ahner to review the tickets for the Quality of Life Ticketing Ordinance. She stated how they were able to be customized to the Borough's needs along with including the fee scale on the ticket.

Councilwoman Guardiani stated how the Blight Committee along with a few Council Members met with Council Members from other municipalities in regards to attending the Commissioner's meeting on February 23rd at 10:30 a.m. at the Courthouse Annex. She stated how the Boroughs who were participating were: Palmerton, Lehighton, Summit Hill, Lansford, Nesquehoning and Jim Thorpe. Councilwoman Guardiani stated how Senator Argall was sending two representatives to back them up for what they were asking of the Commissioners. She stated how they were also receiving support from Keith McCall and Rick Forgas from the Carbon-Schuylkill Industrial Development Corporation.

Councilwoman Guardiani stated how the Boroughs were going to start meeting once a month to hopefully get some regionalization for other things. She stated how the next meeting was being held in Summit Hill. Councilwoman Guardiani stated how they might even look into a regional code enforcement officer, because they were not able to do everything as little ole Nesquehoning. Councilwoman Heaney stated how there was strength in numbers.

Councilwoman Guardiani stated how she made contact with the property owner of Industrial Road and they were going to meet with her on February 16th at 12:30 p.m. at the Borough office. She stated how she had asked Mr. Stalega to hold off on sending any kind of letter until after they had their meeting.

Councilwoman Guardiani stated how they worked on updating the assistant code enforcement officer's job description. She stated how she had forwarded it to the Personnel Committee for their review. Councilwoman Heaney stated that when she had read the job description, she felt overwhelmed, because of how much the intricacy was involved with everything that was needed to be done. Councilwoman Fox stated how those things were required if they were sent to the magistrate. Secretary/Treasurer Ahner stated how it would be nice if the new code officer would have set hours so the office staff could direct calls to a specific day/time. Councilman Nalesnik stated how they could end up spending money that they do not need to spend, because they might not have any work for the hours that he spent in the office. He stated how the code officer could be notified that a notice came into the office.

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Councilwoman Guardiani stated how they could not tell their code officer not to look for trouble and just wait for a complaint to come into the office. Councilman Nalesnik stated how they have Police officers and Borough workers should be able to report any issues back to the office. Councilwoman Guardiani stated that the Quality of Life Ordinance allows, not just a code officer, but the police officers also, to ticket for any of those violations. She stated that if they were going to have five full-time police officers, they could write a quick ticket if they see any violations.

Councilwoman Guardiani stated about list of medical providers for their Worker's Comp physician's panel. She stated how that was something that needed to be updated.

6. RECREATION LOIS KUBA, CHAIRWOMAN; MARY FOX, CO-CHAIRWOMAN; DAVID HAWK

Councilwoman Kuba stated how they had attended the Recreation Commission meeting Monday night. She stated how five of the Commission members had keys to the Recreation Center: Dawn Jacobs, Pam Zlock, Susie Semuta, Samantha Zlock, & Ashley Smith, which was mainly for opening the Recreation Center for events. Councilwoman Kuba stated how they had their election of officers and everything stayed the same. She stated about their scheduled of events; February 19th – Kiddie Bingo, March 4th – Gun Bingo, April 8th – Breakfast with the Easter Bunny, August 1st – National Night Out.

Councilwoman Kuba stated how they had a gentleman in from Lancaster trying to get the bingo board working correctly. She stated how they were looking into getting a new bingo board, which would cost them approximately \$1,200.00. Councilwoman Kuba stated how they had discussed the Recreation Commission purchasing the picnic table for the New Columbus Park. She stated how it was going to be a steel bench, handicap accessible, and cost around \$1,300.00. Councilwoman Kuba stated how the Recreation Commission was going to help purchase equipment for the parks, because they had over \$35,000.00 in their accounts. She stated how they were also going to look into putting some of their money into a CD. Councilwoman Kuba stated how they were supposed to be putting money back into the community, even if it was by fixing up the bathrooms at the Recreation Center or purchasing equipment.

Councilwoman Fox asked when the LSA Grants open. Secretary/Treasurer Ahner stated that she was not sure if they opened in June or July, but they usually close on September 30th. Councilwoman Kuba stated how they might submit an application. Councilman Nalesnik stated how he was going to write a letter to Senator Argall concerning the Recreation Center, because it was technically an emergency shelter for the Borough. He stated how he was going to write a letter explaining what the Recreation Center was and what it was used for; emergency shelter, voting, etc. Councilman Nalesnik stated how they were looking for a total refurbish project, because even the retaining walls outside were falling down. Councilwoman Fox stated how they had talked several years ago about redoing the kitchen. Councilman Nalesnik stated how they need a kitchen, to spruce-up the bathrooms and all new flooring. He stated how they did earmark funds for the Recreation Center from the COVID money.

Councilwoman Kuba stated how the Borough was going to look into getting benches, which would be sponsored by families in the Borough and they will be placed in the parks, in front of the Borough office and in front of local businesses. She stated how they were looking to spend between \$200.00 - \$225.00 for each bench. Councilwoman Kuba stated how they would get plaques made and they would be affixed to the benches for the people who donate for the bench. She stated how they would need to purchase the concrete ends, pressure treated wood, stain and bolts.

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Councilwoman Kuba stated that if they would cost a little over the donation cost, that the Borough would foot the difference. She stated how she did have individuals who were willing to volunteer to put the benches together. Councilwoman Kuba stated how they asked the Recreation Commission about placing a few benches at the Recreation Center. President Hawk stated that if they were buying in bulk (concrete ends), they might get a better price for them.

Councilwoman Kuba stated how she had received a letter from someone looking to see if they would start a community garden. She stated how she has seen them in other towns. Councilwoman Heaney asked where they would put it. Councilwoman Kuba stated how they wanted them to put one at the Historical Society, but they did not have the room.

Councilwoman Kuba stated that once they were done with the Johnson & Jacobs Park, they would move forward with the electric at the New Columbus Park. Councilman Nalesnik stated about getting their engineer to draft up a plan of action and follow their instructions. Councilwoman Kuba stated how the gentleman from PPL had told her that the Borough had to get everything started, before they would come in to hook up the electric. Councilman Nalesnik stated how they have to get a licensed electrician, who would know what needed to be done. Councilwoman Fox stated how they did not need a building to house their meter box. Councilman Nalesnik stated how the Lions Club, back in the mid 90s, had a meter installed on a pole, but the Borough did not want to pay the electric bill, so they had it removed. He stated how the Lions Club spent approximately \$5,000.00 to have the electric installed and just handed it over to the Borough. Councilwoman Fox asked if the service (wires) still there or did they rip it all out. Councilman Nalesnik stated how he did not know.

7. BUDGET/FINANCE FRAN HEANEY, CHAIRWOMAN; BRUCE NALESNIK, CO-CHAIRMAN; DAVID HAWK

Councilman Nalesnik stated about the cell phones and how they had approved two cell phones for the police. He stated how they had discussed a stipend of \$20.00 per employee (Mr. Pilla, Mr. Staehle, Secretary/Treasurer Ahner, new full-time Borough worker, and maybe the new code officer) in lieu of purchasing additional cell phones for the Borough workers. Councilman Nalesnik stated how he did not think that the Borough secretaries should receive a stipend, because they had the office phones to use while at work and they did not use their personal cell phones for Borough business after working hours. He stated how they would have to vote on that at their next meeting.

8. PERSONNEL/SAFETY MARY FOX, CHAIRWOMAN; BRUCE NALESNIK, CO-CHAIRMAN; FRAN HEANEY

Councilwoman Fox stated how they were meeting the next night with the Teamsters and they were also going to review the applications. She stated how they had interviews scheduled for every 20 minutes for several applicants. Councilwoman Fox asked if everyone had a chance to review the handbook. She stated they were looking to adopt it at their next meeting. Councilwoman Fox stated about also approving the assistant code enforcement officer job description at their next meeting. She stated about a cleaning person for the Borough office. Councilman Nalesnik stated about checking with Columbus Cleaners. Councilwoman Guardiani stated how they could do the cleaning at the Police Department and the Borough office. Councilwoman Fox asked if Grace Whildin was still cleaning the Police Department. Secretary/Treasurer Ahner stated "yes". President Hawk asked if they would need to come into the office to clean during working hours. Secretary/Treasurer Ahner stated how they would prefer it that way.

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Councilman Nalesnik asked about needing members for the Recreation Commission. Secretary/Treasurer Ahner stated how they also need an individual for the Planning Commission and two individuals for the Zoning Hearing Board.

Councilman Nalesnik asked if they heard anything back concerning the website. Secretary/Treasurer Ahner stated how Mr. O’Gurek was no longer designing websites. She stated how she had emailed Tom Tobin (Diversified), who had originally set up their website, about updating it. Councilman Nalesnik stated about getting a marketing company in to get them a quote.

EXECUTIVE SESSION

The Borough Council Members entered into an Executive Session at 8:01 p.m. for personnel. The Council Members exited their Executive Session at 8:58 p.m.

ADJOURNMENT

Councilwoman Fox moved and Councilwoman Heaney seconded to adjourn the meeting. All voted yes. Meeting adjourned at 8:58 p.m.

RoniSue Ahner
Secretary/Treasurer