

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL
Wednesday, August 23, 2023 at 6:00 pm, Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

ROLL CALL: COUNCILWOMEN/COUNCILMEN FOX, GUARDIANI, HEANEY, KUBA, NALESNIK, PAUL, PRESIDENT HAWK; MAYOR KATTNER & SOLICITOR YURCHAK, COUNCILWOMEN FOX ABSENT; MAYOR KATTNER ABSENT

President Hawk Called Meeting To Order at 6:00 pm.

PLEDGE OF ALLEGIANCE

There will be an executive session after the Hearing of Visitors.

President Hawk did say that it has been a long standing policy of the Borough, that under the Hearing of Visitors, the time allotted for an individual is 5 minutes, so we ask that you respect that and try to be concise as best possible.

MINUTES: NONE

HEARING OF VISITORS:

Anthony Digiglio, I live at 110 Rhume Street, Nesquehoning, PA. I have some pictures that I would like Council to look at, I would like to hand them to you. For the last couple of weeks, I have talked to the Mayor and made some phone calls, kind of upset about things are not being taken care of, like the crap cars that are around. I did call the zoning officer and what I got from him, was that it is happening for years. I did not like that answer, so I decided to walk around myself, and I have some complaint forms and I think I have 45 complaints, with state laws and ordinances all laid out with the papers. I am seeking a request to see what had been done as far as the zoning officer, I know that Ordinance is now with the police for code enforcement. I have to apologize, because they have to chase down all these grass complaints and they have much more important things to do. I take the pictures so that council can see what is going on. As I walk around people come out and say you are nit picking, so me which ones are nit picking. Would you like any of these to be your neighbors? At some point, you have to be doing your job. There are cars upon cars and pools are another thing, He said he has contact Barry Isett, for zoning about the pools and he was told by Isett that they do not get any calls regarding pool inspections. I took my own time to walk these streets and do this, and I find out that there are people getting paid to do this. My plan is to do the other half of the town, and I do expect to have my request answered, and I do expect to see what these officials are doing. I have the right to do this. If you enforce the Ordinance for one you do for all. I have complained about this and nothing happens. I have people calling me asking me what can be done. He said that people complain to the borough and that nothing happens, at least I am doing something. This is pretty sad that a resident is going around doing this, and the people have more faith in me than the people who are paid and elected to do the job. President Hawk said that council will take a look at what was given to them tonight and we will review the complaints that you have filed as you have said that we have our police and we do use Barry Isett for some code work. We are in the process of trying to find a code enforcement officer. We had one, who resigned. Councilwomen Guardiani did say that the police are doing 20 hours of code enforcement. Mr. Digiglio said that he has spoken with the Chief of Police and that he is a great guy. Councilwomen Guardiani said first of all, I can't tell you how many people, I bump into every single day that refuse to fill

out a complaint form, they will complain, but will not fill out the form. Thank you for taking the time to do so. I also, as you have, gone around town and filled out complaint forms, but you do need to understand that your saying that I do not want to put this upon the police, it is the job of the police to do 20 hours of code enforcement every week. We do not want to pay our other code enforcement officer \$65.00 per hour to go after high grass, so the police do what is called Quality of Life enforcement. It works just like when the police ticket someone for speeding. We are not trying to make money, all we want people to do is comply. Cut your grass, cut your hedges, get rid of your junk car, so we do in fact, send this information to the police. They received all of them and they are following up on this. What you want is another code enforcement officer. Mr. Digiglio said that some of the complaints do not fall under code, they could be under zoning. I specifically spoke with the zoning officer and he said that it has been like this for years. Councilwomen Guardiani did say that she would let the public know that you are not employed by the borough and I know for a fact, the office has received several complaints about you, either going onto property, and some nasty verbal exchanges. Mr. Digiglio said that he is not out breaking the law. President Hawk hit the gavel and told resident that he made his point, we have responded and we will continue to respond to what you give to us.

Chief Weaver spoke and said that he heard something about the railroad, he said he reached out to the railroad and they said that next week sprayspot is being delivered, and Nesquehoning is on the list.

Hello, My name is Marty Joiners, I am with Edward Jones in Hazleton. I stopped by the borough last week and dropped off some rates sheets and cards for the borough. I was invited to speak briefly. With the interest rates and the kind of market we are in now, there is an opportunity for the borough if interested, with access funds, or funds for projects later. Any usage that we approved, investment options, CD's, Money Market rates as well as bonds that are available. I know that I am not on the agenda, so I was told to introduce myself and you could have some conversations about that.

Pam Zlock, I am the President of the Nesquehoning Recreation Commission. We just would like to present a check to the Chief of Police for the National Night Out. We are presenting him with a check for \$2,100.00. Councilwomen Kuba said that these are the women that really hold the Recreation Commission together. They put their time in week in and week out, they make a difference in this town with everything they do.

EXECUTIVE SESSION:

President Hawk said going into Executive Session. 6:15 pm. 6:44 pm meeting went back into session.

PLANNING COMMISSION & ZONING HEARING REPORT:

There was a planning commission meeting tonight at 5:00 pm. Councilmen Nalesnik said that they met for the Weaver Subdivision that was approved with conditionally approval based upon revision of the drawings, showing the proper water and sewer lines. So that was approved by the planning commission and second item was the Hauto Valley Estates and realigning property lines for the sale of the Anna Kmetz Estate. So it is just to clarify the property lines on that sale, so both were past for approval by the planning commission. Councilmen Nalesnik was made to approve the Weaver and the Hauto Valley Estates/Anna Kmetz Estate Subdivision subject to the conditions of the planning commission. Councilwomen Kuba seconded. All in favor of motion, motion passed.

ENGINEER'S REPORT: No Report

SOLICITOR'S REPORT:

The fireworks Ordinance has been advertised, on August 3rd, waiting for adoption. Motion made by Councilwomen Guardiani to adopt the fireworks ordinance as advertised. Councilwomen Kuba seconded. All in favor of motion, motion passed. The ATV Ordinance was also advertised on August 3rd. Motion made by Councilmen Paul to adopt the ATV Ordinance as advertised. Councilwomen Guardiani seconded. All in favor of motion, motion passed. Solicitor Yurchak sent a letter to the property owner across the street, certified mail and have gotten a response. Obviously the owner has not done anything, and I held off because Chip asked me to. I am going to proceed to file the complaint.

Councilwomen made a motion to accept the Planning Commission and Solicitor's Report. Councilwomen Kuba seconded. All in favor of motion, motion passed.

TREASURER'S REPORT & CD REPORT:

Motion was made by Councilwomen Kuba to accept the Treasurer's Report & CD Report. Councilwomen Heaney seconded. All in favor of motion, motion passed.

TAX COLLECTOR'S REPORT:

July 2023: Real Estate Receipts of \$77,889.44; Occupation Receipts of \$15,465.00; Per Capita Receipts of \$9,440.00 bringing in a total of \$79,839.44.

APPLICATIONS:

Four applications received. 1 for Borough Manager; 1 Public Works; 1 Any Position; 1 for Crossing Guard.

COMMUNICATIONS:

There are 12 pieces of communications received.

Motion to approve Tax Collector's Report; File Communications; Place Applications on File was made by Councilwomen Guardiani. Councilwomen Heaney seconded. All in favor of motion, motion passed.

COMMITTEE REPORTS

POLICE & PUBLIC SAFETY:

Nesquehoning Hose Co #1 is seeking approval to attend the following events: Elected Officials Challenge at the Carbon EOTC on September 9, 2023; Coaldale Fire Co. Parade on September 9, 2023.

Fire Summary Report for July 2023 is as follows: 1 motor vehicle accident; 1 automatic fire alarm; 4 mutual aid responses (1 Weatherly, 1 Tamaqua; 1 McAdoo; 1 West Penn); 1 Dwelling Fire; 1 Wires down and 1 Special Assignment. Total for the year is 88. Motion was made by Councilwomen Kuba to approve Nesquehoning Hose Co #1 to attend the events requested. Councilwomen Guardiani seconded. All in favor of motion, motion passed. Councilmen Paul brought up about the tires being approved for the police vehicle. Motion made by Councilmen Paul to purchase the tires for the Durango police vehicle

from Snyder Tires in the amount of \$730.32. Councilwomen Kuba seconded. All in favor of motion, motion passed.

POLICE REPORT:

Magistrate Kosciolk: vehicle code, crimes and code and Misc: \$1,963.94; Local Ordinance: \$96.24; Title-18 Payable to Municipality:\$ 347.11; Snowmobile/ ATV: \$50.00; Title 75, motor vehicles: \$1,470.59. Magistrate Kissner: Title 75- Motor vehicles: \$243.30; District Magistrate-Restitution: \$243.29. Clerk of Courts:\$187.85. Parking Tickets- \$100.00; Code Tickets: \$100.00; Moving Permits: \$ 140.00; Accident Reports: \$60.00 with a Total of \$3,038.28. Traffic Citations: 50; Code Complaints: 37; Traffic Accidents: 6; Total Calls for the Month: 243.

CIVIL SERVICE COMMISSION: None

HOUSING & CODE ENFORCEMENT OFFICE'S REPORT:

Zoning Report for July from the zoning officer, for permits. Total amount received was \$864.00.

EMERGENCY MANAGEMENT REPORT:

John McArdle said that he has reviewed the updated plans for the Lake Hauto Dam, so I signed off on that and it will be forwarded to DEP for submission. The event on September 9th is from 9-12. The reason that doing event is the have the elected officials and the incoming candidates come and see what is being done up there and participate. It will be police, fire and ambulance that is going to be there. I had a request from the VFW asking for participate with the 911 Memorial, held on September 11th, which is a Monday at 6:00. I would need to add that to the meeting for approval. Motion made by Councilwomen Guardiani for the VFW to participate in the 911 Memorial, held on September 11th at 6:00. Councilwomen Kuba seconded. All in favor of motion, motion passed.

Motion made by Councilwomen Heaney to approved the Police and Safety Report; Police Report; Zoning Report; Emergency Management Report. Councilwomen Kuba seconded. All in favor of motion, motion passed.

STREETS:

Councilmen Nalesnik said that the Road Department is getting ready for winter, they are getting 50 ton of salt coming in the next couple of days. There is a requirement of purchase for the year and with the 50 ton being delivered, we are rotating the stock. The second block of East Diaz which last year the grant application was rejected, so it was resubmitted, and we have been awarded to Nesquehoning and that is for the second block of East Diaz. The engineering group is working with county on finalizing the paperwork. We are anticipating the Spring/Summer 2024 for that work to be done, that is a CBGB Grant, and that would be a reconstruction job going down 7 to 8 inches of stone and base coat and top coat. The Industrial Road grant application that was approved at the last meeting for ARRO to proceed, with developing the grant, they have started that work. There is a lot of grant work to be done first, but that work has started. The actual grant has not been submitted, that will take a little bit of time. Will keep Council updated on that. We are going to need yellow paint because the fire hydrant blocks were, actually we need all paint. We will pursue in getting the paint. We had to divert and get all the town and the school done, but I have asked them to continue with the no parking. Councilwomen asked is the

road department was closer to the signs. Councilmen Nalesnik replied and said the signs were developing quite a process, supposedly there is something we could fill out. But one of the Supervisors down in Allentown told Mary Fox that they don't give signs, but maybe there is a process of obtaining them from the State, don't know the quantity or the cost. Still working through it.

SEWER:

Motion made by Councilmen Nalesnik to accept the July 2023 Sewer/Sanitation Adjustment Report. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilmen Nalesnik said that they are still waiting to hear back from the Railroad regarding the tunnel, the access to the tunnel. We are still waiting for their response as to the proposal to put a pipe there. The Lake Hauto generators we are moving forward on those, the engineering are working with Lake Hauto engineer on finalizing the final agreement to place the generators there. The sewer plant, the units are going to be switched in the next couple of weeks for cleaning and also the State does not like a docile unit long term, so we are going to comply with the State's request to use all units periodically, so that will be happening in the next few weeks. Councilmen Paul made a motion to renew the contract with Water Mechanics for assistance at the Sewer Plant under the same terms. Councilwomen Kuba seconded. All in favor of motion, motion passed.

BUILDINGS & GROUNDS:

The update of New Columbus Park, needed to get parts for the electrical at the park. Those parts should be in next week, and then we will schedule an appointment with them. We will be providing the trench assistance in digging the trench for that, so hoping within the next four to six weeks we will electrical service in the park, maybe we could do a little Christmas decorating, worked toward some program next year. The police department generator had a mal-functioning so we had to have that repaired through a company, so it is up and running, but there is some routine maintenance that it needs, but he was unable to do it that day, so will be having them again doing the routine maintenance on that generator and also ask them that the recreation center generators are up to par. There is a little glitch in that one also and they are offered caused by power surge or lightening that is up in that area. Councilwomen Guardiani did say that they noticed in the Summer time, we turn on the air conditioning units, the main one, we turn on and after so many hours, the electrical box is hot, so don't know if someone needs to come in and look at that or what. Councilmen Paul said that he asked Bob Pilla to go over and look at that, he does not know if he did, but will check with him.

SANITATION & QUALITY OF LIFE:

Councilwomen Guardiani said that the Tonnage for July from Tamaqua Transfer was 151.81 tons. The first thing on her list was the demolition of 1, 3,5 High Street is completed. There are a lot of thank you she did. First, Mike and Pete Radocha, who came in with a cost to demo was \$42,225.00 and delivered the bill to me today and they came in at \$2,300.00 under the cost. They ended up charging the borough \$39,950.00 to take the homes down and haul away and put grass seed, straw and stone. Thank you to Bill McMulle, Chip Stalega, Shawn Bart from the fire company, Judge Surpress, Robert Yurchak and myself were back in court last week about the fine and the fine has doubled from \$6,000.00 to \$12,000.00. He now owes us \$12,000.00. It originally went from \$200.00 to \$12,000.00. He also has a municipal lein for \$28,000.00. Tim Dow, waived all the fees, except the UCC fees. The office staff said that they have never seen those fees waived before. They ended up charging us \$4.50 for all three units. Mr. Anthony Marconi for letting us access his property. Thank you, John McArdle for jumping

through a lot of hoops to get two old phone lines taken off the house. Thank you Bob Pilla for capping the sewer line. When all was said and done Joey Matullo said he would clean up all the brush that was in front of the place. Thank you to all the Council Members who tolerated me, talking about this for the last year. Thank you to the tax payers. 1 High Street that is owned by Mr. Julio Quavez, his property is going to upset tax sale September 27th, he has already been into the borough office, he is asking how do I pay up. He wants to start a payment plan. He owes the borough \$14,966.66. Leins are placed on 3 and 5 High Street, not sure what the total is. That is the guy who got the \$12,000.00 tacked on. 90 East Catawissa, that is apartment the school building, if you remember a gentlemen had a very nasty apartment there and we talked about what needed to happen. Chip, myself and Mike, our Chief of Police got into the building without a Administrative Search Warrant with Deana Hopper, who is the manager of the place. The gentleman did let us into his apartment, I can tell you, Ms. Hopper was going to toss her cookies. She was appalled at what she saw. The apartment was cleaned up some from the last time we were in there. She has promised us that the apartment is going to be completely gutted for the gentleman, new everything. The tenant is now going to allow area agency on aging to come in. They will provide care for him. They will cook, clean, etc. Councilwomen Kuba did say that they made the apartment building non-smoking in the building. John McArdle said that they did post signs, they did make it non-smoking. They also posted that they need to keep the windows and the doors closed in the stairwell. He also said, that the individual in the apartment , they did pull everything out of the apartment, so they are making good on the deal. We went into the old Roxie and no fire fighter is to enter, there are holes in the floor. We went upstairs to the old projector room, there are still some remnants of the old projectors. I will tell you thank come Tuesday, Chip has informed me that he going to be posting as condemned , I already have it on the list with the com center so that any call that comes in for fire you know immediately no fire fighter is to enter the building. They are going to start NOV or fining until they do something about it or tear it down. John McArdle said that as of right now they want to sell and not fix it up. It was made clear. Councilwomen Guardiani did say that there is something taking place right now and that is the Blue Print Communities, Tamaqua is involved with it. She thinks there are good things about it like trails and bringing in revenue. There is a Blight Meeting scheduled for Wednesday, September 20, 2023 at 3:00 at the borough building. Reminder of the Recycling Event on September 6th.

RECREATION:

Councilwomen Kuba asked Solicitor Yurchak if there was anything on the land parcel. He replied, that he has not heard anything. That was months ago he said. Councilwomen Kuba brought up about the Johnson Park Project.

BUDGET/FINANCE:

PERSONNEL/SAFETY:

NEW BUSINEES: NONE

OLD BUSINESS: NONE

ADJOURNMENT: Motion to adjourn meeting at 7:10 p.M.

DEBORAH DELFRANCO
SECRETARY/TREASURER

