

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL
Wednesday, March 27, 2024 at 6:00 PM, Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

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

PLEDGE OF THE ALLEGIANCE

ROLL CALL: COUNCILWOMEN/COUNCILMEN FOX, SMITH, KUBA, SHUBECK, NALESNIK, KATTNER, PRESIDENT HAWK, MAYOR KATTNER & SOLICITOR YURCHAK

MINUTES: Motion to approve the minutes from Regular Meeting held on February 28th and Workshop Meeting held on March 13, 2024 made by Councilwomen Kuba and seconded by Councilwomen Fox. All in favor of motion, motion passed.

Motion to adopt Resolution 2024-3 authorizing the participation in the 2024 Cohort of the Pennsylvania Blue Print Communities Program. Councilwomen Kuba made motion to adopt, Councilwomen Smith seconded. All in favor of motion, motion passed.

President Hawk said that Senator Argall would like to speak on this topic. Senator Argall said Congratulations. For many months my staff and I have been working with many of you and Representative Heffley toward this goal. I need to note that Representative Heffley intended to be here, there is huge traffic jam on interstate 81 and he is stuck in it, so I am going to be speaking on his behalf as well. You are now officially the newest only regional blue print community in all of Eastern Pennsylvania, the others are neighborhoods or single communities, so you are the only ones that represent an entire school district with similar goals to breathe new life into Nesquehoning, Coaldale, Lansford and Summitt Hill. The program was initially created by the Federal Home Loan Bank of Pittsburgh in 2005 and at that time, I suggested that Tamaqua join up and since then, hopefully you have seen the impact that it has made in my home town, in the business community in the downtown and some much needed housing in some of the neighborhoods. When you drive down the street, you can really see the difference. The best news is that is not a onetime thing, this is a 10 year program for all four Panther Valley Communities. When we have looked at what other communities have done, increasing tourism, developing better housing, supporting local business, redeveloping historic buildings, sounds like what the Panther Valley Communities have been talking to me about, and so you will have the ability to work with some real pros, to develop more plans, and here is the best part, to connect to resources, to make good things happen. I have seen a lot of planning and it always needs cash, and I look forward to you working with you as you finalize your plans to learn from other counties around the state, to develop more partnerships and turn these visions into realities. This initiative should really help all of us to build onto some of ongoing revitalization efforts that are already underway. Representative Heffley and I have been able to help with the train stations, the number nine mine, the infrastructure upgrades that we just announced in Lansford, at the Coaldale, Lansford, Summitt Hill sewer authority so we can being to build things again in the valley, also working on some very interesting tourism projects throughout the valley that we could announce very soon, just not quite yet, so when you combined that with all of the private investment, like down the street, at the new sports complex and the new reading and northern railroad platform for passenger excursions, as you can already see a lot of good things happening here. When I became your State Senator last year for the first time, several of you had joined with Doyle and myself over in Jim Thorpe, working together regardless of town boundry, regardless of county boundry, regardless of political party affiliation, I say that today is a really important next step in the long road of breathing new life into these four communities. Congratulations, I am really looking

forward to this effort. Thank you. Councilwomen Fox mentioned the Nesquehoning Representatives and they are: Abbie Guardiani, Joseph Guardiani, and Lois Kuba. Joe Guardiani said that we are appreciative of the designation for being chosen among the applicants to participate in this extensive training program that we will be involved in, 18 months of training and hopefully we will walk away with a revitalization plan. He said, I know Blight in our community, is the one common denominator that brought us all together and we quickly realized that together we could do some things that separately we couldn't, so we are looking forward and Abbie and myself have committed to keep council informed along with Lois as to the progress in making the plan. Just looking forward to developing this relationship with this team and very much excited about it. Abbie Guardiani said, I guess probably the simplest thing I could say is with this team, there is on I or me, it is us, that is how we roll and this is how we are going to roll. It is a Panther Valley community plan and we are all going to work together to do our best to make improvements and changes. The plan itself, that is what the training is about. The training is about making a plan, setting a roadmap and the roadmap will be fluid, there are things that are going to change, especially over 10 years, but we hope to see it through, we hope to make big changes for all of Panther Valley and we are ready to roll. President Hawk said that the chance of scheduling that Nesquehoning ended up being the final community to adopt this Resolution, we do have representatives from the other boroughs. They all stood and introduced themselves.

HEARING OF VISITORS: George Sabol, I am a resident of Nesquehoning, thirty plus years. I have been on borough council for close to six years. I did a lot of volunteer work on my own time, my own money, but to get to the point. First of all let me commend borough council and the people that just left for getting this together, trying to get the panther valley area to move forward. The main reason I am here, I attended a workshop meeting two weeks ago, and I found out then that we are planning on paving the very last street on East Diaz, but I heard Bruce Nalesnik say that no curbing and I really don't understand by we are requiring the residents to put curbing in, and if could explain to me, why not, when I thought it was in our policy or by-laws or Ordinances that you get a new street, you have to get curbing. Now I can turn a blind eye to some alleys, but this a residential areas, with tax payers up there and I think they deserve, and I know that they are going to be paying for it, but I think that we could be requiring curbing up there. I you could answer me why there is not going to be any curbing, I would love to hear it. Councilmen Nalesnik responded and said, George, it goes back several years and I believe you were still on council at the time when that original grant application was done, so I can't speak for the engineering at that time, but I know that it was decided on the grant application the CDBG grant that there was no curbing and they did not feel it was required. George Sabol asked, Who said it was not required? Councilmen Nalesnik responded and said that at the time it was the engineering services, the head of streets. George Sabol said you are going off old former council. Councilmen Nalesnik said that is who completed the grant application at that time. George Sabol said that since that time we have applied for new applications, we resubmitted. Councilmen Nalesnik said that they resubmitted the same grant. George Sabol asked why did you do that? Councilmen Nalesnik said that we did not receive the grant the first two years and then we were finally awarded the grant, but to go back and change to have curbing would have probably kicked out the grant and we wouldn't be doing any paving up there, it is a major reconstruction of the street, it is just not putting a one and half top coat on it, we are going down deeper, so it a general reconstruction, but at that time, whoever did the grant application at that time did not include curbing. So I can't sit here now and decide, oh we are going to have curbing. George Sabol said that I was told when I was on council that we had to wait on that street, because it needed total reconstruction and water control drainage and that is why they were not applying for the grant and they did Diaz by the fire company and the next was Musmanno, and then the alleyway, it's been two and a half years since I have sat on council and I almost made six years and I was always given the same story, that it needed total reconstruction, it need drainage, we have to wait, we can't just put an overlay on it and now you are telling me that we could just put an overlay on it. Councilmen Nalesnik said no, I said it is not an overlay, it is reconstruction. George Sabol said, why would you not want to put curbing in to

control the water. You are not paying for it the homeowner is, then what are you trying to tell me? Councilmen Nalesnik responded and said that I'm telling you that we resubmitted the grant application and the original grant application did not have curbing. It changes the grant completely. George Sabol, then didn't you change the grant? It was supposed to be changed when I was on council. Councilmen Nalesnik responded and said that we are seeing the grant through, and we fortunate to get it. George Sabol stated that you get it every other year. You did Rhume Street with it and another street, you lied to me once. You lied about the Covid money, that you did not receive any covid money. Councilmen Nalesnik responded and said that I never told you that. George Sabol, the hell you didn't. George Sabol said do I have to go through the minutes of the meeting and Councilwomen Fox responded and yes, I would like you to. George Sabol said are they even available. How could you all lie to my face. You told me that when I asked how that money was divided up, we did not receive any funds yet, you did receive the funds for \$350,000.00. George Sabol pointed at council and told them they were liars. President Hawk said that at the time you asked about the covid money, we had not received anything. Councilmen Nalesnik said the covid money was received in two installments. We did not receive it all at once. George Sabol responded and said you received both installments when I asked that questions. Yes you did he said. Why would not put curbing in, you are going to have all that mess from the mountain rushing all over the streets, when you put curbing in you seal off the road that the tax payers pay for and you make the property values to increase somewhat, if you have curbing, why is that block not as good as any other block in town, that does not need curbing, is it because it will cost you more money. That is what it boils down to. What over streets do you plan on paving this year, aside from Diaz which you got a grant for. Councilmen Nalesnik asked, do you live on Diaz. George Sabol said not I do not live on Diaz. Councilmen Nalesnik said that not one resident on Diaz has come forward and insisted on curbing. George Sabol said, what is that suppose to mean, it is your policy, if you put a street in you have to put curbing in. Councilmen Nalesnik said it is not our policy to do that. It is a street by street decision. George Sabol said that you have no business being on council, Mary Fox neither do you, David Hawk, you have yet to say anything, you chimed in that you did not know about the covid money being in, and Mary I heard back after the meeting that you told the councilmen next to you with a smirk, we know we got the money. Councilwomen Fox said she had no idea that the covid money had come. George Sabol said, I am asking you to reconsider even if you don't do the street this year, to have the residents pay for curbing. How is going to cost you more money if the residents are paying for the curbing, how is it going to cost you more money. Councilmen Nalesnik said it does cost more money, they spent a half a million dollars on Willow Lane because of curbing, probably \$100 or \$200,000.00 more than needed to, so it is a factor. It cost the borough much more to do that Willow Lane. George Sabol said that he was on council when that happened, we opened up that street, in the name of the sewer, because the sewer fund is fine. President Hawk did say that there were issues up there with the curbing and it did end up costing the borough money, yes there where. George Sabol said that we should speak with our old engineer as to why it cost the borough so much money, the grant came, I was the one who said to go after that grant. He said Willow Lane is one of the nicest streets in town, because we all worked together with the State, sewer, borough money. I money that I procured from the Solar plant, \$10,000.00 a year that was earmarked for street repair, I was the one that closed the deal. I believe Robert you worked on the Solar plant. He went on to ask Councilmen Kattner how he felt and Councilmen Kattner responded by saying that I have not been here long enough to make a determination. He then asked Councilwomen Kuba, she responded by saying, she would have to go over everything and check. Sabol said that he knows how Councilmen Nalesnik feels. Councilmen Nalesnik said that I am only trying to see to a grant that we received and not lose it. George Sabol said the we are losing the grant for Johnson Park, what is the difference. Councilmen Nalesnik said that there is a difference, that he wants to get the street paved if we can at no cost to the borough. George Sabol asked Councilmen Nalesnik if he had curbing up near his house? Councilmen Nalesnik responded by saying that he does not have curbing up at his house. He said there is no curbing there, that I had to put rocks there. He said once again, that this grant was during your time on council so why didn't you, seek for curbing. George Sabol said that he was not privie

to that information. Councilmen Nalesnik said that we are all privy to everything, we are all sitting here. I am not going to argue with you, I'm trying to see the grant through. He asked Councilwomen Fox if she thought we needed curbing on East Diaz. Councilwomen Fox responded by saying she does not know, but that the grant said that no curbing was needed. George Sabol said I was told that we could not pave the street because it needed curbing. Councilwomen Fox asked him, who told you that. He responded by saying, you, Frank. She then said I was never on the Streets committee. George Sabol said that you do not need to be on the committee to know that. President Hawk hit the gavel and said as it stands right now, if we were to have home owners put in curbing, we would lose this CDBG grant. George Sabol said that he would like for them to put in drainage and curbing, please he said. Kristin VanSleek, said that she and her husband just moved into Nesquehoning recently and live on Catawissa Street. She stated, that she wanted to say that she thinks the town is great and nice. She said that she comes to the meeting tonight because she has some concerns of the intersection right down the road, School and Mill Street. As you all know that when you come down Mill Street, whether you make a right or a left, there is a stop sign when you are coming down the hill. There are stop signs on either side of the street, however, I believe it is a very dangerous intersection, because when I drive down that way to park in front of my house, I can't tell you how many times I have been almost hit because, I feel that there should be a four way stop sign there, or a sign that says the oncoming traffic does not stop, and I would feel better if this would be taken into consideration and I just feel it would make the intersection a lot more safer. Mayor Kattner said that he knew exactly what she was saying. Councilwomen Fox said that there are stop signs on Mill Street. Kristin said that she would like to see a stop sign there or a sign saying that oncoming traffic does not stop. Solicitor Yurchak said that the stop sign would have to be approved at a meeting, but the oncoming traffic does not. Councilwomen Smith asked if we could put a sign up for now until we amend the Ordinance and Solicitor Yurchak said not a problem. Kristin said that if would be appreciated if something could be done, she said you know the school is down a little bit, but it still an active area. Mayor Kattner said that he would make sure something was done. President Hawk mentioned that he has gone through the intersection of School Street and Mill Street, and often times you have people stopping on School Street because they don't realize they don't have a stop sign and you have the people on Mill Street wondering why they are stopped, because they do not have a stop sign. Kristin did say that she does still drive with caution when driving on those streets. Councilmen Nalesnik asked Solicitor Yurchak if we could do an emergency authorization tonight, Yurchak said that it would be better if we just have the street signs for now. He said we will work on the Ordinance and have it ready for meeting next month. Kristin said that she agreed for a dog park.

SOLICITOR'S REPORT: Solicitor Yurchak stated that he did file the Informal Complaint with regards to the railroad with the PUC, regarding with what is happening with that. They will come in and help with monitoring and mediating the situation. Don't want to get into to many details, there is to be a conference call tomorrow morning, at least that is the plan. I will keep everyone informed. Motion to accept Solicitor's Report made by Councilwomen Kuba and seconded by Councilwomen Fox, all in favor of motion, motion passed.

TREASURER'S REPORT & CD REPORT: Motion was made by Councilwomen Fox to accept the Treasurer's Report and CD Report, and seconded by Councilwomen Kuba, all in favor of motion, motion passed.

COMMUNICATIONS: There are 10 items with one that we are going to be added here. 2 of them we will need to take action on and/or discuss. The first one being a request from the American Cancer Society to do a boot drop on Friday, March 29th, it was sent but then couldn't be found. I know in the past we have approved it. Motion was made by Councilmen Kattner to approve the boot drop for the American Cancer Society, seconded by Councilwomen Smith, all in favor of motion, motion passed. The other item is not on the list is an exoneration from Statewide Tax Recovery for a non-resident for Mr. Flores, they are requesting an exoneration for tax per capita and occupational in the amount of \$16.50 for years 2021

and 2022 and \$11.00 for the years 2021 and 2022. Motion was made by Councilwomen Kuba to approve the exonerations, seconded by Councilwomen Fox, all in favor of motion, motion passed.

Motion was made by Councilwomen Kuba to file all communications, Councilwomen Fox seconded, all in favor of motion, motion passed.

COMMITTEE REPORTS:

POLICE & PUBLIC SAFETY: Councilwomen Kuba reported that as far as the fire department, they are doing the boot drive weather permitting on April 7th, she got schedule today. She will be seeking volunteers. Will get the list back to John McArdle. She reported that body cams are up and running. Chief Weaver reported that they received everything and that all his officers were trained and up and running as of last week. Councilwomen Kuba stated that it is a good thing and that all of our officers will have a body cam on, it is a really good thing. She asked Chief Weaver about the gun situation. He responded by saying that all the guns came in and they are waiting on the night sites on several on them. Councilwomen Kuba stated that she is please that all officers will be well equipped. She thanked Deb DelFranco and Chief Weaver for the leg work. Chief Weaver said that we already sold our ammo to Franklin Township. Councilwomen Kuba asked Deb DelFranco to send out a letter to the donors, but then changed to have Chief Weaver to send out letter to donors, thanking them. We will be getting together for a Committee meeting in April and getting ready for the summer Councilwomen Kuba stated. Councilwomen Smith mentioned about the latest press release was great. Chief Weaver reported that there has been a lot of confusion between different areas of our region as to how our task force works, for starters, the task force that we work through the Carbon County Drug Task Force, we work with in conjunction with the Office of the Pennsylvania Attorney General, so what that means is that we go out on our own free time and conduct drug investigations that 100% reimbursable through the office of Pennsylvania office of Attorney General, no cost to any borough, and it gives us fully authorization to go to other towns and conduct drug investigations. As you can see the individuals that we deal with in Nesquehoning they get there drugs in Leighton, Coaldale and all over. Solicitor Yurchak asked Chief about the agreement with the task force, he asked to get a copy of that. Chief Weaver said that there is a meeting next week with the DA's office, Attorney General Office.

MAYOR'S REPORT: Mayor Kattner said he will make this simply of quick. He said that they job the police department is doing is unbelievable. He said that we are were we should be, with body cameras, and that people are donating to us. He said that we would not have had this 10 years ago. I give them all the credit and also give credit to the donors for helping us out. Hopefully we could have this town and the surrounding towns around us secure.

POLICE REPORT: Magistrate Dobson: vehicle code, crimes and misc. \$1302.75; Local Ordinance: \$39.24; Title-18 Payable to Municipality \$411.42; Title 75, Motor Vehicles \$852.09; Individual Restitution \$170.00; Parking tickets \$625.00; Moving Permits 2-\$20.00; Accident Report 10-\$150.00 Total being \$2,267.75. Traffic Citations Issued: 24; Code Complaints: 32; parking/abandoned vehicles; 28 (3 abandoned vehicles removed); Accumulation, Disposal, Scattering rubbish- 3; Local Ordinance, Burning- 1; Traffic Accidents- 5; Total calls for the month 147.

FIRE DEPARTMENT REPORT FOR FEBRUARY: 12 Responses; 3 Mutual aid, Landsford, Weatherly and Jim Thorpe; 1 Terrain Rescue; 5 CO investigations; 1 Vehicle Fire; 1 LZ setup; 1 Wire. Total of 20 responses for the year.

Approval of the handicap parking for 40 East Center Street, motion to approve the application for the handicap parking for 40 East Center Street made by Councilmen Nalesnik and seconded by Councilwomen Kuba, all in favor of motion, motion passed.

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT: Zoning Report; 2 permits issued; total money received \$33.00. Code Report from Stalega, 31 contacts within the borough for a total of 21.05 hours and invoice amount of \$1,182.50, so these are repeat complaints, a lot of follow ups along with some new ones.

EMERGENCY MANAGEMENT REPORT: John McArdle reported that he was contacted by a property owner of 334 East Catawissa. Requesting an address for the property, they have several apartments, I went and look at it and got back to the property owner and the agreement that we came up with was to make that 336 East Catawissa so that would have been the Broad Mountain Hardware Store, so the only thing that will effect are the apartments that tenants are in and that will be part of 336, it works out fine, because the next property which is the garage with the apartment on top will be 340 and the end unit will be 350, so by following that pattern we are not just giving a number out, so if we could have that approved tonight. Requesting that the solicitor update our NFPA Life Safety Code the new addition for 2024, there are certain sections in there, the last time it was updated was 2018. Lastly, I would need a resolution from Council to accept the updates for the Emergency Operation Plan effective for 2024. Motion by Councilwomen Smith to amend the agenda to add, the motion to approve the address change; motion to authorize Solicitor Yurchak to amend the NFPA for 2024 and to approve the Operation resolution, seconded by Councilwomen Fox, all in favor of motion, motion passed.

Motion was made by Councilmen Kattner to accept the Police and Public Safety, Mayor Report, Police Report, Zoning Report, Code Report and EMA Report, seconded by Councilwomen Kuba, all in favor of motion, motion passed.

STREETS: Councilmen Nalesnik reported that as discussed in Workshop for the 2024 Road Improvement Projects utilizing our Liquid Fuels money that we did receive, to redo Pine Street to the full length from 209 to Railroad Street and also then to do Park Avenue in the Hauto Estates from 4th ave up to 8th avenue, also part of that road project contingent upon receiving funding approval for East Diaz avenue through the grant, that will be seen through as well. I did not feel it was appropriate by me to interrupt the grant process by deciding to add curbing and upsetting the grant and possibly losing it, the original engineer reviews did not raise the issue of curbing and it was done in the original grant and curbing was not including in the grant. Councilwomen Fox stated that curbing was going to be an extra cost for the borough to go by the engineer to set the level and things, it would definitely add cost. No resident has approached Council about curbing. President Hawk stated that the Borough would have to have the curbing level set, even if the homeowners were going to install and pay for it and would be 100 percent it would void the grant for this round. Motion was made by Councilmen Nalesnik to approve the 2024 Road Improvement Project, Councilwomen Smith seconded, all in favor of motion, motion passed. Councilmen Nalesnik made a motion to ratify the purchase of a chainsaw from JC Small for the Road Department, seconded by Councilwomen Kuba, all in favor of motion, motion passed. Councilmen Nalesnik made a motion to approve up to \$800.00 for the purchase of an air compressor and to post the old compressor as is for sale, Councilwomen Kuba seconded, all in favor of motion, motion passed. Councilwomen Kuba stated that the road department did a good job throughout the winter. Councilmen Nalesnik said that the road department will do some cold patching and that winter signs will be taken down in April. Councilmen Kattner mentioned that the property at the end of New Columbus, was fixed and that the property owners were very pleased with the outcome. Road department also re-seeded the park.

SEWER: Councilwomen Fox made a motion to accept the February 2024 sewer/sanitation adjustment report, Councilwomen Kuba seconded, all in favor of motion, motion passed. Councilwomen Fox made a motion to remove William Brior as Sewer Enforcement Office and to appoint ARRO Engineering as Sewer Enforcement Officer for Nesquehoning Borough, Councilwomen Kuba seconded, all in favor of motion, motion passed.

BUILDINGS & GROUNDS: Councilmen Kattner made a motion to approve the repair of the chimney liner for the Recreation Center, in the amount of \$3250.00, Councilwomen Smith seconded, all in favor of motion, motion passed. Councilmen Kattner said that they will be looking at things over the summer for building and grounds. Councilmen Nalesnik mentioned that they are waiting on the figures from Brinkash on the survey. He said there was a communication problem between ARRO and the surveyors and they will be out soon.

SANITATION & QUALITY OF LIFE: Councilwomen Smith made a motion to accept the February 2024 Tamaqua Transfer Tonnage Report in the amount of 128.15 tons, Councilwomen Shubeck seconded, all in favor of motion, motion passed. Councilwomen Smith made a motion to approve the Recycling Event on May 21st from 2-5, Councilwomen Kuba seconded, all in favor of motion, motion passed.

RECREATION: Councilwomen Shubeck stated that the Recreation meeting was postponed til another date. President Hawk stated that they were looking at doing the meeting on April 15th and Councilwomen Shubeck said that she would rather do it before workshop. The breakfast with the Easter Bunny has been cancelled, when asked she stated that there was not enough signed up. Councilwomen Smith added that there has been some buzz about the Easter Egg hunt up at New Columbus over 200 baskets and 3000 eggs were donated, I will say that Mr. Najah and his mom did a great job and with the committee for Community Events and reaching out to other places in town, we were able to give him a check for \$450.00 towards their efforts, so it is nice to see the park utilized and hopefully keep it going throughout the Fall and Winter months with some other events up there and people getting involved. Councilwomen Fox asked what time and it is 2-3 for registration.

BUDGET & FINANCE: Councilwomen Kuba reported that the end of the quarter is on Sunday. We will be having a committee meeting the first two weeks of April to see how the first quarter went as far as spending. She stated that police are doing great with their overtime and that the Chief has a handle on that. She said to spend what is needed and not what wants.

PERSONNEL & SAFETY: Councilwomen Fox stated that she spoke with Mark from the Teamsters with regards to the upcoming contract and setting up a meeting. She stated any Thursday in April and he gave a date of Thursday, April 11th at 4:00 pm., if that is good you, Bruce and Lisa. Councilmen Nalesnik said that he is clear. Councilwomen Kuba asked about the Police Contract and Solicitor Yurchak did say that he will circulate the contract it everyone and that there was one more change and that all were aware. Councilwomen Fox mentioned that Mark did send her the proposal.

Motion was made by Councilwomen Fox to accept all committee reports, second by Councilwomen Kuba, all in favor of motion, motion passed.

NEW BUSINESS: Councilmen Nalesnik mentioned about the quote received for updating the computer system for the Borough. Will discuss further at next workshop. Councilwomen Kuba noted to give praise to Tony Shamel being named the best pizza in the world. We plan on doing something further at a later date. It has been on national news and that is good for Nesquehoning. He was on Good Morning America and all tasted his pizza and they were blown away. They all loved it.

OLD BUSINESS: NONE

ADJOURNMENT: Motion to adjourn was made by Councilwomen Smith and seconded by Councilwomen Shubeck. Meeting adjourned at 7:30 pm

Deborah DelFranco
Secretary/Treasurer