

MINUTES FOR REGULAR MEETING OF NESQUEHONING BOROUGH COUNCIL
Wednesday, October 23, 2024, at 6:00PM, Borough Office
114 W. Catawissa Street, Nesquehoning, PA 18240

President Hawk called meeting to order at 6:00 PM

PLEDGE OF ALLEGIANCE

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

President Hawk stated that we will be going into a brief executive session before the Personnel Committee Report.

MINUTES: Councilwomen Kuba made a motion to accept the minutes from the September 25th meeting and the October 9th workshop. Councilwomen Fox seconded. All in favor of motion, motion passed.

HEARING OF VISITORS: Jennifer Staines a Lansford Borough Councilmember and I wanted to speak briefly about regionalization again. When RoniSue was here she did her part of the paperwork and I did mine, and once RoniSue left and that is where we were and they called and said that if we do not do it by January 1st you need to start from scratch which we didn't do. I have been sending out letters to gauge interest, I was told currently the Coaldale was interested, you may or may not be. There is no commitment, all I am going to do is sit down and talk and go through it, a lot has change since we did the initial paperwork and I really think we can come together and making a Panther Valley Police Squad or whatever it is, so that is why I am here. I have to say that Chief Weaver has been amazing to work with, that whole process, I'm sorry you are leaving, you will do great at your new spot, but he was so easy to work with, so I appreciate that, and the paper, with the Mayor, I talked with him about regionalization and he nodded his head and said contact Deborah and that whole message was not relayed in the paper and I feel bad for that. Mayor Kattner did say, I appreciate that.

PLANNING COMMISSION & ZONING HEARING REPORT: NONE

SOLICITOR'S REPORT: Solicitor Yurchak said the Route 93 Meeting that I was asked to set up with Senator Argall and Representative Heffley is now set for November 21st at 9:00 am here at the Borough Office. Chief they are looking for the number of arrests that have been made since the last accident of the trucks coming down the hill. If you could get that to me, I can forward to Senator Argall and Representative Heffley and put it in their letter. Chief Weaver said, we have running into a lot of issues, obviously we know about the truck situation up there, I do know that Beaver Meadows has been hammering it as well, so they have been actually stopping quite a bit before they make it to us. Solicitor Yurchak also stated, the complaint from Keller on the Yard Street fire

filed and they withdrew it without prejudice, so it is gone. The next thing we have is the handicapped ordinance amendment adoption. Primarily, if you remember it will limit the number of handicapped signs on a block. That is ready for adoption and we need a motion for that. Councilwomen Kuba made a motion to adopt the handicapped ordinance amendment. Councilwomen Smith seconded. All in favor of motion, motion passed. Solicitor Yurchak said, this is about the blight committee, the JPCPA, has sold three properties in the last six weeks and they have addressed listed on the deeds and I have copies of the deeds, if you would like to proceed against them through blight, I can give you the deeds and you could give them to Chip and he could go after them. Councilwomen Kuba said, when he sells one of these properties does it need to be cleared up. Solicitor Yurchak stated that they are to contact the Borough Office to see if there are any outstanding bills that need to be paid. Also, West Chester Plastics he said did answer my last letter, so another letter just went out. I am also working on the LCCC Land. Councilmen Kattner made a motion to accept the Solicitor's Report. Councilwomen Fox seconded. All in favor of motion, motion passed.

TREASURER'S REPORT & CD REPORT: President Hawk said that the CD's are up for renewal on November 1, 2024. Councilwomen Fox asked Deb DelFranco if we could possibly get the same rate. Councilwomen Kuba stated that the rates seem to be going down and hopefully we could maintain the current rate. President Hawk did mention that the bank will not let you know what the rate will be until the CD's are matured. Councilwomen Fox asked what the time frame is from the date of maturity to make a decision. Councilwomen Kuba stated that it was 10 days. Councilmen Nalesnik asked if we are going to compare rates with Mauch Chunk Trust and Jim Thorpe to Deb DelFranco. Deb DelFranco said that she will find out from both banks on what the rate will be. Councilwomen Kuba made a motion to accept the Treasurer's Report and CD Report. Councilmen Kattner seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion to approve the deposits and the ratification of all bills. Councilwomen Smith seconded the motion. Councilmen Kattner abstained from bills #16087;16054. All in favor of motion, motion passed. Councilwomen Fox made a motion to approve the PO's. Councilwomen Kuba seconded. All in favor of motion, motion passed.

TAX COLLECTOR MONTHLY REPORT: Real Estate: \$13,350.36; Occupation: \$363.00; Per Capita: \$231.00. Total Received: \$13,944.36. Councilwomen Kuba made a motion to accept the Tax Collector Report. Councilwomen Fox seconded. All in favor of motion, motion passed.

COMMUNICATIONS: President Hawk said, we had a request from Justine Trucksess to do a presentation at the November meeting. All Council in favor of having Justine Trucksess do the presentation at 5:30 pm on November 20th meeting. President Hawk also mentioned that Joe Butri from Lansford is requesting the use of the barricades for the Veteran's Day Parade. Councilwomen Fox made a motion to allow them to use the barricades. Councilwomen Kuba seconded. All in favor of motion, motion passed. President Hawk said, that Leighton Ambulance asked for financial assistance.

Councilmen Nalesnik made a motion to disburse the same donation that was made last year. Councilwomen Smith seconded. All in favor of motion, motion passed.

COMMITTEE REPORTS:

POLICE & PUBLIC SAFETY: Councilwomen Kuba stated that we had a Boot Drive on October 15th and it was very successful that each of the fire companies received \$1,833.33 and that the event went very well. We have put the application in the paper for hiring, getting a list for full time and part time officers to see what we come up with. We have one application for fulltime and part time. Crossing guards, we had one application and we can look at that. Chief Weaver said that the police will have something outside of the station for Halloween night. Also want to say, that some things go unnoticed and I know it is kind of new for us, but I would like to give a thank you and a shout out to the new fire police officers that we have. They have been wonderful on our truck accidents and for the Trunk or Treat they were out there busting and making sure everyone was safe and sometimes that gets overlooked. Thank you again for the help. Councilwomen Fox mentioned about a possible increase for the Crossing Guards. She asked Deb DelFranco and Deb's said that she spoke with Jessie at the school district and he basically said that the crossing guards are out employees and that we should do up a letter and submit to the school district as to how much the raise would be if we were to do one, because the school district does pay half of there salary. Chief Weaver asked, could we utilize crossing guards and fire police for Halloween night. Councilwomen Smith made a motion to have fire police and crossing guards out on Halloween night. Councilwomen Shubeck seconded. All in favor of motion, motion passed.

MAYOR'S REPORT: Mayor Kattner said, I am still happy being a crossing guard. Obviously, Halloween night is Thursday, October 31, 2024 at 6-8pm.

POLICE REPORT: September Police Report: Magistrate Dodson: Vehicle Code, Crimes code and misc. \$1,323.10; Dog: \$53.69; Local Ordinance: \$174.08; Title 18, Payable to Municipality: \$162.51; Title 75, motor vehicles: \$907.82; Title 75, parking offenses: \$25.00; Individual Restitution: \$20.00; Moving Permits: \$110.00; Accident Reports: \$60.00; Parking Tickets: \$50.00, Total of \$1563.10. Traffic Citations Issued: 62; Code Complaints Resolved: 10; Total Call for the Month: 143. Clothing Sale Fundraiser:\$431.00.

Fire Department Summary Report for September: 10 responses: 2 Odor Investigations; 1 Avoidable Alarm; 1 Vehicle Fire; 1Landing Zone setup; 4 motor vehicle accidents and 1 unfounded call. Total for the year is 92 calls.

HOUSING & CODE ENFORCEMENT OFFICER'S REPORT:

Zoning officer had 4 contacts; total money received \$118.00 for permits
Code Report from Chip Stalega from Barry Isett & Associates 23 contacts for a total of 12 hours spent on complaints and follow ups.

EMERGENCY MANAGEMENT REPORT: John McArdle asked to have the Council's permission to include the fire company for trick or treat and also permission for the fire company to attend the Veteran's Day Parade on November 10th in Lansford. As of Monday, October 21, 2024 a burn ban has been put in effect for the Borough and I ask the Council President to ratify the actions of that. I have had a couple of questions already asked of me by the public. You could cook on a gas stove, propane, but open burning is what we are trying to curtail. Right now, we have had a long dry spell, and the woods and the leaves are very volatile so the best thing people can do is pull the leaves away from their house and put them in the area that won't get close to their house if something is to happen. Fire Prevention, just a reminder for the citizens to check their smoke detectors and co detector batteries, their heating systems, we are going to be getting into a cold spell and certainly, we want to make sure they are properly cleaned and maintained and I would like to thank the Borough and the citizens of the community and police department for the revitalization of the community event that we had the Trunk or Treat. It was very well attended. Sue did a great job organizing things. I hope it will continue. Councilwomen Fox made a motion to approve the fire companies to do trick of treat night and to attend the Veteran's Day parade in Lansford. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Smith made a motion to ratify the burn ban. Councilwomen Kuba seconded. All in favor of motion, motion passed. The burn ban is for 30 days starting on October 21, 2024.

Councilmen Kattner made a motion to accept the committee report, police/public safety report; mayor's report; police report; fire report; zoning report; housing report; EMA report. Councilwomen Kuba seconded. All in favor of motion, motion passed.

STREETS: Councilmen Nalesnik asked if anyone confirmed that Route 209 going to be paved this year. Mayor Kattner stated that PennDot has pushed to time from until Spring of 2025. Councilmen Nalesnik said that they were doing painting and did not want to paint if the street was being paved this year. Grant update for Industrial Road, the first phase passed through a significant hurdle with the State, so it looks like we will be on a pathway for Phase1 of Industrial Road Grant valued at \$890,000.00 and that would start at the west entrance of Industrial Road near the Co-Gen entrance and works its way back toward the town. There is a meeting coming up and we will find out more information. I was told that the first Phase, 90% likelihood that we are going to get some work done up there. The hope is that it will enhance the Industrial Road and Industrial Park to lure businesses and corporations to that area. That is the purpose of this grant. The salt and cinder purchasing requirements, we are good still, but we are going to have to purchase some and we can move forward with that whatever the requirement is. He said, I would like to make a motion to add to the Agenda to: a motion to indefinitely delay the Park Avenue curbing project, so we can further consider all of the additional details with that and the concerns with water drainage and such. At this point I am making a Motion to add to the Agenda for tonight. Councilwomen Fox seconded. Councilwomen Shubeck asked for a rollcall. Councilwomen Smith asked indefinitely, does that mean there is room for discussion on this? Councilwomen Shubeck stated are we postponing this project? There was already a vote to do the

project. The engineer was in and we heard both sides of the story and the decision was made. Councilmen Nalesnik said that there is a lot of concerns about water and the drainage. Councilwomen Shubeck stated she thought that is why we had the engineer here. Councilmen Nalesnik said that this is not a vote, it is a motion to add it to the agenda for tonight. Solicitor Yurchak stated that it is a motion to add to the agenda, not really voting on the indefinitely postpone the project. Deb DeFranco did a roll call: Councilwomen Fox-yes; Councilwomen Smith-No; Councilwomen Kuba-yes; Councilmen Nalesnik-yes; Councilmen Kattner-No; Councilwomen Shubeck-No; President Hawk-yes. President Hawk said that is 4 yes and 3 no. Solicitor Yurchak stated that a motion now needs to be made. Councilmen Nalesnik made a motion that we delay the Park Avenue paving and curbing project for further evaluation. Councilwomen Smith asked if the indefinite delay was that you could not bring this to the table at any time going forward. Councilmen Nalesnik stated that no, we could bring up later on. Anyone can make a motion as long as money has not been passed through. Councilwomen Smith stated that she was not sure the difference between indefinitely delay or delay was. Councilmen Nalesnik made a motion to indefinitely delay the Park Avenue Paving/Curbing project. Councilwomen Kuba seconded. Deb DeFranco did a roll call: Councilwomen Fox-yes; Councilwomen Smith-No; Councilwomen Shubeck-No; President Hawk-yes; Councilmen Nalesnik-yes; Councilwomen Kuba-yes; Councilmen Kattner-No. President Hawk stated again the vote was 4 yes and 3 no. Again, we kind of said at the last meetings that we were going to continue to look into this, that is why I am voting to let it go, so we can look into all of the aspects we need to look into. Councilwomen Shubeck stated that I am afraid that it will be forgotten about. President Hawk said that there is nothing to preclude us from bringing it up as we have more information. Jessica Aungst said, I would like to ask a question. The only question I have as a taxpayer, I would like to know everyone's reasoning for the vote. Solicitor Yurchak said that Council does not need to give her a reasoning as to their votes. Councilmen Nalesnik said that Deb DeFranco would have to send out letters to the homeowners of Park Avenue letting them know that we will be delaying the paving/curbing project. Councilmen Nalesnik said, do we want to continue with the surveying from the Engineer for Park Avenue. He said that it had already previously been approved by Council. Councilwomen Fox said that if we are not doing the project right now, why spend the money. President Hawk said that I think having the results of the survey is a piece of information that we would need to consider this. Councilwomen Smith stated that if we do the survey and one of the homeowners decides to put their curbing in we already have the specs for them to do so. Councilmen Kattner stated that in the Ordinance, it states that the homeowner can ask for the specs at anytime. Councilmen Nalesnik stated that it was already approved and I just wanted to clarify so that we can proceed with that. President Hawk stated that it will be more information. The grades will be on record, so if anyone would like to do the curb and if and when we decide to proceed with the project we already have the grades. Councilmen Kattner stated that I talked with one of the borough workers yesterday and we were talking about the salt spreader on the F-750, took it upon himself and put some time into the spreader and he is happy with the way it is working right now and he said let's give it a shot and that would save us \$3,000.00. Councilmen Nalesnik said we did not act on that quote, move on. President Hawk said that was the EM Kutz. Councilwomen Smith asked if the

police vehicle has been up on Municibid? Deb DelFranco said, that it has not been stripped as far as she knows. Mayor Kattner stated that Mike Gruber will be stripping the vehicle to be put on Municibid.

SEWER: Councilwomen Fox made a motion to accept the September 2024 Sewer/ Sanitation Adjustment Report. Councilwomen Smith seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion to authorize Solicitor Yurchak to work with Rush Township attorney for the amendment to the agreement regarding the Rush Township charge for conveyance and treatment. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion to approve the re-piping of Unit1 (stainless steel) via CoStars in the amount of \$87,527.00 from Blooming Glen Contractors. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion to ratify the purchase of the Battery Operated Chainsaw in the about of \$500.00. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion to add to the Agenda, a motion to approve Bob Pilla to attend training on November 20th in Luzerne County for Flaggers-Waste Water. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Fox made a motion for Bob Pilla to attend training in Luzerne County and it is \$110.00 for his attendance. Councilwomen Kuba seconded. All in favor of motion, motion passed. Councilwomen Fox stated that he is required to put in hours for certification.

President Hawk asked the Solicitor is he was able to get in touch with Blue Mountain Railroad about the agreement. Solicitor Yurchak stated he sent them an email and that he has not received any response as of yet. Councilwomen Fox asked Solicitor Yurchak about the easements for Lake Hauto. He stated that he needed to speak with Bill McMullen on a couple of things. Councilwomen Fox stated that the generators have been hauled up there, and that the price of the generators keeps on climbing. Councilmen Nalesnik stated that could we purchase the generators and store them until needed. Councilwomen Fox said, that Bill McMullen has been in touch and we can see what the price would be. It is a costars purchase. She said for whatever reason when the power goes out at the lake, it also effects our pump station. The advertisement went out for the Lake Hauto Generators per Bill McMullen.

BUILDINGS & GROUNDS: Councilmen Kattner states that we have some upcoming events in the New Columbus Park and the need for lighting. Councilmen Kattner made a motion to approve the purchase of a pole, lighting and electrical installation at New Columbus Park not to exceed \$5,000.00. Councilwomen Shubeck seconded. All in favor of motion, motion passed. Councilmen Nalesnik asked where the pole would be going. Councilmen Kattner asked Bob Pilla to elaborate. Bob Pilla stated that were we put the service, straight back in that corner, put the pole right there and you could put one pointed up at the church and the other toward the basketball courts. It will be one pole with two lights on it. It could be put on a manual switch, so if you are doing something in the park turn on and off. Deb DelFranco contacted Kresge and he will be in on Monday, at 9:30 am. Councilwomen Kuba asked if the Recreation Committee will be asked to pay partially for the install and others. They have shared costs in the past. Councilmen Kattner made a motion to approve the maintenance of the Recreation

Center Generator by Wire Guys in the amount of \$325.00. Councilwomen Fox seconded. All in favor of motion, motion passed. Councilmen Kattner said that I was in touch with the tree guys and they are behind, but will be back to finish the job. They will be there on October 29th to finish up.

SANITATION & QUALITY OF LIFE: Councilwomen Smith made a motion to accept the September Tamaqua Tonnage Report in the amount of 136.92 tons. Councilwomen Fox seconded. All in favor of motion, motion passed. Councilwomen Smith made a motion to approve the increase of \$10.00 of the garbage bill to make it \$50.00 per month starting January 1, 2025. Councilwomen Kuba seconded. All in favor of motion, motion passed.

BLIGHT COMMITTEE: Councilwomen Smith mentioned that we received the money for 208 Yard Street Fire. Solicitor Yurchak sent out an email with Lansford's Agreement and we will look that over. President Hawk said as a reminder that Senator Argall's Blight Summitt is next Wednesday, October 30th at 6:00 PM. Councilwomen Smith stated that we already registered with Senator Argall's office.

RECREATION: Councilwomen Smith said that at the last recreation meeting, they said that they will be doing trick or treat at the Recreation Center, they will be giving out candy along with the Police Department. Councilwomen Smith made a motion to shut down first block of East Columbus Ave on Sunday, December 1, 2024, between 3-8 pm for Christmas on the Hill Event. Councilwomen Shubeck seconded. All in favor of the motion, motion passed. Councilwomen Smith said, with a whole lot of Christmas magic, we were able to secure two of Santa's live reindeer to come to our event. Once we shut the road down for that event, the department of agriculture will come in and approve the area, because we just found out the reindeer can not step from the trail onto a course area, so we need a 15x15 area which they will approve. We will have reindeer handlers on hand to help the children, the children will get reindeer food, and that leads me into my next motion. Councilwomen Smith made a motion to approve a parade route starting at the Recreation Center, down Catawissa Street, up Mermon, across East Diaz, down Padua and ending on East Columbus Avenue on December 1, 2024. Councilwomen Shubeck seconded. All in favor of the motion, motion passed. Councilwomen Smith stated, there is a soup sale at New Columbus Fire Company on Sunday, November 3, 2024 from 10-2. Councilwomen Smith mentioned that working with New Columbus Fire and Hauto Fire for the 1st annual Christmas on the Hill Event, is we will be offering 25 trees for sponsorship for \$50.00 a tree for businesses, families basically anybody who would like to sponsor a tree. The day of the event we will have time for people to decorate their tree, so our event is scheduled to run from 5-7 pm. We are going to start with a Santa escorted Fire truck parade through town. The parade will probably start about 30 minutes before hand, they will leave the rec center about 4:30, which will coincide with the return train. Flyers will go out this coming week to businesses. If anyone interested in participating they can contact the Borough office. Councilwomen Smith made a motion to approve a \$500.00 donation from Community Events and bake sale profits to put the deposit down on the live reindeer exhibit. Councilwomen Fox seconded. All in favor of motion, motion passed.

BUDGET & FINANCE: Councilwomen Kuba mentioned that there will be a budget committee meeting on November 14, 2024 at 5PM. We will be watching the CD's closely and to see what the rates will be upcoming. We will see who can give us the best rates. We did have a very good year this year and hope we can get something like that. Everyone seems to have their budgets in and Deb doing a remarkable job with new budget. Hopefully after the meeting we will have good news.

President Hawk said executive session at 7:09pm and that it would be brief.

President Hawk brought meeting back into session at 7:28 pm.

PERSONNEL & PUBLIC SAFETY: Councilwomen Fox made a motion to accept the resignation of Chief of Police Michael Weaver effective November 15, 2024. Councilwomen Kuba seconded. All in favor of motion, motion passed. Chief Weaver said that this may be the first time hearing this. I wanted people to hear it from me personally, I can tell you for the last two months, I have been beating myself over this and stressing myself out and after a lengthy consideration, I have accepted another position elsewhere that requires me to relocate. After looking at everything, not only for myself, but for my family it is the better choice for me. While I am here, I would like to thank past and present Council members, fire departments, borough workers, the citizens, the media, if it wasn't for you all that believed in me from day one, I would not have the opportunity I will have in November, so for that I am thankful for. I have to say this has been, I have been doing this for twelve years now, and this has been the best three years of my life. Thank you all very much. Councilwomen Fox made a motion to offer the position of Chief of Police, after we had interviews last week, contingent on a non-competitive civil service test and contract negotiation to Bradley Hess. Councilmen Nalesnik seconded. All in favor of motion, motion passed. Councilwomen made a motion to ratify the Consortium Insurance through ETA for the Borough of Nesquehoning. Councilwomen Smith seconded. All in favor of motion, motion passed. President Hawk said that is combining with the Water Authority and Borough. Councilmen Nalesnik stated that there is a savings of approximately \$45,000.00. Councilwomen Fox stated that we have six applications for the cleaning position, one which is also for crossing guard. I have been calling the references on those applications and will try to get them in next week.

Councilmen Kattner made a motion to accept all committee reports. Councilwomen Kuba seconded. All in favor of motion, motion passed.

ADJOURNMENT: Councilwomen Smith made a motion to adjourn. Councilwomen Fox seconded. All in favor of motion, motion passed.

DEBORAH DELFRANCO
SECRETARY/TREASURER