

# Lafin Borough Council Mtg.

June 8, 2021

6:00 P.M.

## MEETING MINUTES

**MEETING CALLED TO ORDER and PLEDGE OF ALLEGIANCE TO THE FLAG RECITED.**

### Roll Call:

Present: Carl Yastremski, Vice President – Anthony D’Eliseo – Matthew D’Elia –

Absent: Paul Benderavich, Council President; Kyle Costello; and Mayor William Kennedy

Also Present: Solicitor Leonard A. Sanguedolce, Esq. and Charles Boyd, Borough Manager

Special Presentations: None

Minutes: No minutes presented for approval. No action taken.

### Treasurer’s Report:

Mr. Yastremski asked for a motion to accept the report.

Motion to Accept: Anthony D’Eliseo

Second: Matthew D’Elia

Roll Call:

Ayes were unanimous and motion passed.

### List of Bills for Approval:

Mr. Yastremski asked for a motion to approve the bills.

\$43,177.35 plus payroll \$14,883.09.

Motion to Approve: Anthony D’Eliseo

Second: Matthew D’Elia

Roll Call:

Councilman D’Eliseo abstained on the CVI invoice due to employment.

Ayes carried and motion passed.

Correspondences (e-mailed to Council during the month): No discussion.

### Reports:

State Police and Lafin Volunteer Fire Dept. reports were emailed to councilmembers. No discussion.

### **Manager’s Report –**

Mr. Boyd noted for the record that the compliance pension audit reports were received by Lafin Borough and emailed to all elected officials to review. No findings or issues were noted in either the police or nonuniform employee pension reports from the Commonwealth of Pennsylvania, Department of the Auditor General.

The Williams Transco Pipeline Project is still being discussed and worked on with regards to the agreement on the right-of-way terms and compensation to the borough. Solicitor Sanguedolce advised that the agreement and in-kind service work from Williams Transco should be ready for the next council meeting.

Application was made for the American Rescue Plan Act (ARPA) federal stimulus funding. The Department of Economic and Community Development (DCED), who is handling the funding for the federal government, required a grant application to be completed in order to receive funding. The borough is waiting for the first of two payments at \$75,257.16 each year.

The new phone system, that was approved at a prior meeting, has been installed and is operable in good working order.

**Mayor's Report** – No report presented (absent).

Mr. Yastremski asked for a motion to accept the reports as given.

Motion to Accept the Reports: Matthew D'Elia

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

**Unfinished Business:**

- A) Luzerne Co. Tax Claim Judicial Sales August 12, 2021 –  
Jerome Patelunas, Union Street Property  
Janet Moll, Laurelwood Property

Solicitor Sanguedolce recommended waiting until the next meeting or August council meeting to finalize on any discussions to bid on either property. A title search can be done closer to the August 12, 2021 Judicial Sales date. Mr. Sanguedolce would like to see all members of council present for a final decision to be made on the properties.

Mr. Yastremski wanted to see if council was interested in the borough bidding on the properties and approving an amount that would authorize Solicitor Sanguedolce and Mr. Boyd to attend the sale and bid for the properties. Both Councilman D'Eliseo and Councilman D'Elia agreed it would be in the best interest of the borough to obtain the properties.

Mr. Yastremski noted the countless sums of money spent on the Patelunas property over the last 15 to 20 years. It is in the best interest of the borough to bid on the Patelunas property to rectify thate situation. Due to a judge's order to prevent Jerome Patelunas from claiming bankruptcy until the end of the year, Mr. Yastremski noted the urgency and push to get it done.

Mr. Yastremski asked the councilmembers to contemplate an amount and, based on the recommendation of the solicitor, tabled the discussion until July.

B) Oakwood Drive Stormwater Project Bid Proposals –

Don E. Bower, Inc.	\$ 96,880.95	Add Alt. \$55,593.25
Linde Corporation	\$128,000.00	Add Alt. \$71,000.00
Stell Enterprises, Inc.	\$135,443.00	Add Alt. \$60,976.00
American Asphalt Paving Co.	\$158,400.00	Add Alt. \$59,500.00
Kruger Pipeline, Inc.	\$160,000.00	Add Alt. \$185,077.00
Sikora Brother's Paving Inc.	\$190,000.00	Add Alt. \$92,000.00

Mr. Boyd read the bid proposal totals for the record. Mr. Boyd noted Don E. Bower, Inc. was the low bidder at \$96,880.95 for the stormwater work that would include catch basin inlets, piping to Old Mill Road, and trench repair and paving. The add alt. for milling and paving the entire road would add an additional \$55,593.25 to the cost. Mr. Boyd noted the 'rock clause' that could potentially add to the total cost at \$175.00/cubic yard. Mr. Yastremski indicated that is a possibility in that rocky area.

Mr. Yastremski rounded the entire project cost with the low bidder at approximately \$153,000 and referred to the 2021 Operating Budget that was budgeted for a project at a little over \$140,000. With some underruns this year for other budget items, he believes there is enough money to approve the project.

Mr. Yastremski asked for public comments from the audience members in attendance.

**Public Comments on Agenda Item:**

Mary Flannery, 10 Oakwood Drive – has a concern with the removal and elimination of the concrete gutters on Oakwood Drive for the project. Mrs. Flannery is very proud of the concrete gutters that have been in place for 55 years and she positively does not want asphalt curbing as was done on Manchester Drive recently. No other road in the Oakwood Park area has asphalt curbing and she considers it a cheap way out. Mrs. Flannery asked what the point was to remove the gutters. She questioned if it was to make everything uniform.

Mr. Yastremski responded that it comes down to the cost of the entire project. The borough has a limited tax base with limited revenues and costs are rising all the time. Council doesn't want to raise property taxes or income taxes.

Much discussion took place on funding sources, drainage problems on Oakwood Drive, the qualifications of Pennoni Associates, and if the concrete gutters were replaced in their entirety on a former paving project in Oakwood Park.

Mr. Yastremski noted the original bids received in 2019 included a cost to replace the concrete gutters at \$170,000. The current project couldn't be done with that added cost. Any roads the borough would pave now, and into the future, won't have concrete gutters due to the lack of money available to do these projects and double the cost to complete. It comes down to cost.

Maria Woytowich, 15 Oakwood Drive – indicated that the residents, at the time, had to pay extra to Mr. Nicholas Quackenbush (original developer) to have the concrete gutters installed.

Carly Costello, 9 Oakwood Drive – noted for clarification that the concrete gutters were not entirely replaced during the original sewer project. Mr. Boyd responded in the affirmative.

Mr. Yastremski asked for motion to act on any of the information provided. Mr. D’Eliseo made a motion to approve the Don E. Bower, Inc. bid proposal for both parts of the project for stormwater work and the add alt. for paving the entire road.

Motion to Approve: Anthony D’Eliseo

Second: Matthew D’Elia

Roll Call:

Paul Benderavich Absent

Kyle Costello Absent

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

C) Borough Building COVID-19 Closure Status –

Mr. Boyd recommended reopening the borough building to the public for entry with the requirement to wear a mask if unvaccinated without verifying the same.

Mr. D’Eliseo made a motion to open the borough building on July 1, 2021 following the vaccine guidelines to wear a mask if unvaccinated.

Mr. D’Eliseo future stipulated that the fire department would be allowed to open as of the date of the council meeting of June 8, 2021 since the only reason to wait until July 1, 2021 would be to allow Mr. Boyd to move back into his front office.

Motion to Approve: Anthony D’Eliseo

Second: Matthew D’Elia

Roll Call:

Paul Benderavich Absent

Kyle Costello Absent

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

**New Business:**

A) Fordham Road Paving Project –

Mr. Yastremski asked for a motion to put the Fordham Road paving project out for bid.

Motion to Approve Fordham Road Paving Project for Bidding: Anthony D’Eliseo  
Second: Matthew D’Elia

Roll Call:

Paul Benderavich	<u>Absents</u>
Kyle Costello	<u>Absent</u>
Matthew D’Elia	<u>Yes</u>
Anthony D’Eliseo	<u>Yes</u>
Carl Yastremski	<u>Yes</u>

Motion passed.

B) American Rescue Plan Act (ARPA) Federal COVID Funding –

Mr. Yastremski noted this as a discussion item.

Mr. Boyd would like to see stormwater inlets and piping work done on Pinewood Drive now to allow for future milling and paving of Pinewood Drive when funds become available by way of grants or budgeted projects. This would need to be bid out under federal rates as per the Davis-Bacon Act. If approved by councilmembers and depending on the actual bids received for the stormwater work, another project could potentially be done along with the Pinewood Dr. stormwater since the total ARPA funds available are approximately \$150,000. Anything over that amount could be covered by the Wyoming Valley Sanitary Authority (WVSA) capital fund set aside for Laflin Borough.

**Public Comments:**

Note: Public Comment on Agenda Items was given during unfinished business for the Oakwood Drive Stormwater project (see above).

Carly Costello, 9 Oakwood Drive – inquired about blocking off Oakwood Drive for a 1-day (or partial day) block party event in September. She wanted to know what was required to do so legally. She asked if only 911 needed to be notified or if other steps need to be taken.

Mr. Boyd responded that the Laflin Volunteer Fire Department should be made aware of the road closure and times. Some discussion took place of the need for emergency vehicle access and only blocking the road for through-traffic.

Councilman Anthony D’Eliseo asked as to the day of the week for the event. It was noted the date would be Saturday, September 11, 2021.

Solicitor Leonard Sanguedolce, Esq. advised council the request should be included on a monthly meeting agenda for an upcoming council meeting to allow public comment. A motion to close the road at a certain date and time would have to be made and voted on to approve the request. He recommended the July or August council meeting for further discussion.

Carl Yastremski asked Mr. Boyd to check with the borough insurance carrier to see if any additional insurance needs to be taken on by the borough.

Anthony D'Eliseo, Councilmember – discussed opening the fire department back up to members.

**Executive Session:** None

**Adjournment:** Motion to adjourn at 6:43pm.

Motion: Anthony D'Eliseo

Second: Matthew D'Elia

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager  
Lafin Borough

\_\_\_\_\_ <<< END >>> \_\_\_\_\_