

Lafin Borough Council Mtg.
September 14, 2021
6:00 P.M.

MEETING MINUTES

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

Roll Call:

Present: Paul Benderavich, President – Carl Yastremski, Vice President – Anthony D’Eliseo – Kyle Costello –
Matthew D’Elia (joined by telephone conference call) –
Absent: Mayor William Kennedy

Also Present: Solicitor Leonard A. Sanguedolce, Esq. and Charles Boyd, Borough Manager
Joseph Mullen, Pennoni Associates as Borough Engineer

Minutes: TABLED

Mr. Benderavich asked for a motion to table the meeting minutes.

Motion to Table: Carl Yastremski

Second: Anthony D’Eliseo

Roll Call:

Ayes were unanimous and motion passed.

Treasurer’s Report:

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

Motion to Accept: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

List of Bills for Approval:

Mr. Benderavich asked if anyone had any questions or comments then asked for a motion to approve the bills.
\$ 222,267.27 plus payroll \$ 8,093.67

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

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

Ayes carried and motion passed.

Mr. Boyd noted for the record that the List of Bills included two road paving partial invoices from Don E. Bower, Inc. for Oakwood Drive paving and Fordham Road paving. The invoice for Fordham Road will be submitted to the state for payment from the awarded LSA Grant funds.

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

Reports:

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

Manager's Report –

Mr. Boyd reviewed the status of both paving projects underway in the borough. Oakwood Drive and Fordham Road are nearly 99% completed with only a few punch-list items that need to be addressed. The retainage is being held until a final inspection is completed.

Borough Engineer, Joe Mullen, added that nothing was found on his inspection of the projects.

Mayor's Report – Absent (No report presented)

Mr. Benderavich asked for a motion to accept the reports.

Motion to Accept: Anthony D'Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

Unfinished Business:

A) LSA Grant Submission for 2022 –

Greg Gulick, G&R Consulting Grant Writer \$350.00

Resolution for October Council Mtg.

Mr. Benderavich asked for a motion to submit an application and prepare the resolution for a new grant request for Pinewood Drive paving.

Motion to Approve: Anthony D'Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

B) Crafco Roadway Crack Sealing Work (Additional Roads) –

Mr. Benderavich started a conversation on the need for additional roadway crack sealing work. After some discussion, Mr. Benderavich asked for a motion to approve \$6,000 in labor for additional roads. Mr. Boyd noted the borough already has the Crafco material.

Motion to Approve: Anthony D'Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

C) Luzerne Co. Continued Judicial Tax Sale 11/4/21 –

J. Patelunas 918 Union Street (formerly 64 Main St.)

Mr. Benderavich asked councilmembers as to what they thought would be a maximum bid for Solicitor Len Sanguedolce to be authorized to bid at the upcoming tax sale. After some discussion, Mr. Benderavich asked for a motion to allow Solicitor Sanguedolce to bid up to \$40,000 for the Jerome Patelunas property.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Paul Benderavich Yes

Kyle Costello Yes

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

D) Pennsylvania Statewide Police Misconduct Database – TABLED

Former Police Officer Michael Flanagan

Solicitor Sanguedolce advised tabling a vote on any action for the database. Mr. Sanguedolce indicated that this is a brand-new statute without any case law established. At this point, it is very confusing on what our obligations would be and what we are authorized to do. Mr. Benderavich asked for a motion to table the issue.

Motion to Table: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

H) Rear Oakhill Drive Property Purchase Bids –

Mr. Boyd advised that the property was advertised for sale in the Times Leader newspapers and on the borough’s website. Additionally, an announcement was placed on the borough’s Facebook page and Nextdoor Laflin. Mr. Boyd also contacted the surrounding neighbors by telephone. Mr. Boyd indicated one bid was received for \$7,600 with the required deposit from Robb Sieminski. Mr. Benderavich asked for a motion to approve Robb Sieminski for the purchase of the lot from Laflin Borough.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Paul Benderavich Yes

Kyle Costello Yes

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

New Business:

- A) Tree Clearing / Trimming for Creekside Park & Pole Barn Road –
Cute Rite Lawn Services Proposal \$1,850.00

Mr. Benderavich asked for a motion to approve Cute Rite Lawn Service for the trimming of the trees at the park and baseball fields for \$1,850.00.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Paul Benderavich Yes

Kyle Costello Yes

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

- B) Ford F550 Plow Trucks Rust & Sealant Work –
Northeast Mobile Undercoating Proposal \$1,200.00 for 2 Trucks

Mr. Benderavich asked for a motion to approve Northeast Mobile Undercoating for \$1,200 for two dump trucks to clean-out the underside frame and spray coat to prevent rust.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Paul Benderavich Yes

Kyle Costello Yes

Matthew D’Elia Yes

Anthony D’Eliseo Yes

Carl Yastremski Yes

Motion passed.

- C) Delinquent Sewer & Trash Collection Letter –
Elite Revenue Solutions LLC – Draft Magistrate Letter

Mr. Benderavich asked if everyone saw and reviewed the draft letter from Elite Revenue Solutions. Mr. Boyd noted that sending the letter to delinquent residents is an interim step to try and collect from the eight ‘super’ delinquent sewer and trash properties. Mr. Benderavich noted the large outstanding balance of \$35,000.00.

Mr. Benderavich asked for a motion to approve the draft letter.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

D) Actuarial Accounting Firm – Buck Consultants –
Jason Fine

Mr. Boyd explained that Jason Fine, our pension plan actuary listed with the state, left Korn Ferry – The Hay Group and took a job at Buck Consulting. Mr. Fine has a one-year non-competition agreement so another individual at Buck would need to prepare the pension plans minimum municipal obligations (MMOs) as required for the annual budget. Mr. Benderavich asked for a motion to approve Buck as the actuarial firm.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

Other Non-Agenda Related Items:

1. Mr. Benderavich noted for the record that he and Mr. Boyd are continuing to interview for the open position of fire driver / maintenance worker but only one interview was completed since the last meeting. Hopefully more interviews can be completed if applicants can be contacted. Mayor Kennedy had quite a few applicants that were called but the phone numbers weren’t even valid.

2. Solicitor Sanguedolce asked councilmembers to consider a resolution on declaring a disaster emergency due to the tropical storms that passed through the area recently. The Luzerne Co. EMA is requesting initial damage assessments from local municipalities on damage that occur on borough properties and residential properties in town. He believes, in order to submit the information and possibly be eligible for funding, we need to retroactively declare a disaster.

Mr. Sanguedolce advised that, under the new Sunshine Laws, a motion will be needed to add this issue to the agenda. Then a separate vote can be taken on the resolution. Solicitor Sanguedolce prepared a draft resolution and sent it out by email to councilmembers at the last minute for review.

Add to Agenda Emergency Disaster Declaration –

Mr. Benderavich asked for a motion to change the agenda to add the resolution.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

Approve Retroactively Emergency Disaster Declaration –

Mr. Benderavich asked for a motion to approve the declaration retroactively.

Motion to Approve: Anthony D’Eliseo

Second: Carl Yastremski

Roll Call:

Ayes were unanimous and motion passed.

Councilman Yastremski asked how the information will be collected from both residents and borough properties to submit to Luzerne Co. EMA with the very short deadline indicated.

Solicitor Sanguedolce explained the process and what will be needed. After much discussion, council will work together with Mr. Boyd to advertise, gather the information and submit the same.

Public Comments:

Donna Kearney, 4 Chestnutwood Drive – wants an answer to her problem. She asked council what will be done to resolve flooding issues that took place on her property with the last two tropical storms that recently came through the area. She believes the water is coming off the roadway and flooding her property. She referenced the road lifting up in front of her home which indicates water is coming up under the road. She believes surface water also comes over her driveway and cracked her driveway before flooding her cellar.

She continued to explain her situation and discuss the catch basins and the need to have a catch basin in front of her driveway. The catch basins, in her opinion, were not structurally placed correctly. She will have a sump pump installed in her basement. She places sandbags at her driveway entrance now when it will rain heavily. She wants the catch basins restructured.

Councilman Benderavich said the borough is here to help. Much discussion continued on how other properties in town were flooded or had water problems. An asphalt lip will be installed at the entrance to her driveway. The borough engineer is studying the problem on Chestnutwood Drive and will provide recommendations.

Evelyn Wilson, 157 Maplewood Drive – questioned where the water was coming from and indicated Mr. Boyd, in the past, told her the water is coming from Elmwood Drive. Mr. Boyd explained the water wasn't coming from Elmwood Drive but from water runoff from the properties from Elmwood Drive down to her property.

Much discussion followed on her water problems in her yard dating back to 2008 and the civil matters with her neighbor.

Cindy Lucarelli, 157 Maplewood Drive – said she has a problem with the neighbor's shed that is the size of a house and finished inside but doesn't have any rain gutters.

Much discussion followed on the shed zoning, leaky pond on the neighbor's property, neighbor's fence built on her property, neighbor cutting down her tree, and water issues at the neighbor's driveway. Zoning compliance will be checked on the structure. The neighbor will be contacted to inquire on a driveway lip installation by the borough to stop the flow of water onto her property at 157 Maplewood. Some items are a civil matter with the neighbor.

Scott Seeherman, 16 Peachwood Drive – interjected to say he does insurance work and received more calls than usual on foundations being pushed-in from hydrostatic pressure. He noted a house in Yatesville on the main road where the foundation is pushed in. Ground water basement damage is not covered by insurance

unless it was caused by a sump pump or drain failure. Water coming from a basement floor drain into Mrs. Kearney's basement should be covered by her insurance company, in his opinion.

Much discussion continued by councilmembers and residents until the end of the meeting.

Executive Session: None

Adjournment: Motion to adjourn at 6:58pm.

Motion: Anthony D'Eliseo

Second: Carl Yastremski

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager
Lafin Borough

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