

Lafin Borough Council Mtg.
January 9, 2024
6:00 P.M.

MEETING MINUTES

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

Roll Call:

Present: Marc Malvizzi, President – Joseph Boos, Vice President – Drew Malvizzi – Melissa Werner –
Carl Yastremski – Mayor William Kennedy

Absent: None

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

Special Presentations: None

Minutes: December 12, 2023 Council Meeting and January 2, 2024 Reorganization Council Meeting

Mr. Marc Malvizzi noted the December 12, 2023 minutes will be ready for the February meeting and stated that review of those meeting minutes would be by himself and Carl Yastremski only. He asked for a motion to approve the meeting minutes for January 2, 2024.

Motion to Approve: Drew Malvizzi

Second: Melissa Werner

Roll Call:

Ayes were unanimous and motion passed.

Treasurer's Report:

Mr. Marc Malvizzi asked for a motion to accept the report.

Motion to Accept: Melissa Werner

Second: Joseph Boos

Roll Call:

Ayes were unanimous and motion passed.

List of Bills for Approval:

Mr. Marc Malvizzi asked if anyone had any questions or comments then asked for a motion to approve the bills. \$ 35,343.92 plus payroll \$ 8,312.92.

Motion to Approve: Drew Malvizzi

Second: Joseph Boos

Roll Call:

Ayes were unanimous and motion passed.

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

Reports:

Fire Department Report – Drew Malvizzi

The Laffin Volunteer Fire Department report was emailed to councilmembers prior to the council meeting. Mr. Drew Malvizzi highlighted the call volume with 19 alarms including 6 medicals, 1 fire alarm, 5 motor vehicle accidents, 2 reported structure fires, 1 large fuel spill, 2 CO alarms and 1 wires down alarm. The department ended the year with 209 calls, the most since 2019. He also informed the meeting that the department placed in service a 2001 rescue truck that replaced a 1993 vehicle. The new rescue has the capability to carry water and the fire department now has two vehicles that are fire suppression capable.

Manager's Report – Charles Boyd

Mr. Boyd clarified two sections of the council agenda on public comments. Noting that the first section is public comments regarding only agenda items and the second section, at the end of the agenda, is for general public comments on anything else related to the borough.

Mr. Boyd mentioned that he has received calls and comments on a loose chicken on Fordham Road. The home address hasn't been determined to date.

Trooper Evans of the Pennsylvania State Police (PSP) notified the borough that complaints have been received from residents on vehicles not coming to a full stop at stop signs. He contacted the borough and followed up with an email. The email was forwarded to councilmembers and Mr. Boyd posted on Nextdoor and Facebook that stop sign enforcement will take place in the borough.

During the recent snow event, the borough plow truck had damage to a tire by a nail but was fixed by one of the plow drivers so the truck stayed in service. The plow drivers did a good job. Two new tires will be needed for the vehicle to replace the damaged tire and to keep the front tires in wear balance. The tires will be purchased with Liquid Fuels funds.

Councilmember Yastremski asked Mr. Boyd if he had any conversations with Jenkins Township officials on the issue discussed at the last council meeting in regards to the embankment off the curve on Inkerman Road. It is a dangerous situation, without barriers, that is a huge drop-off down to Golden Technologies parking area. Mr. Boyd referred to Solicitor Sanguedolce who stated he left messages for the solicitor of Jenkins Township but found out that a new solicitor, Jerry Mecadon, took over. He knows him and but hasn't spoken with him yet.

Some discussions followed on the concerns and, possibly, sending a letter of concern to the township.

MS4 Stormwater Report – No report presented.

Mayor's Report – No report presented.

Library Association Report – Melissa Werner

Mrs. Werner reviewed the library report that was handed out at the council meeting. She noted that the library hosted 21 programs with a total of 651 participants. The annual fund drive brought in \$6,210.00 and

memorial donations were \$310.00. The sale of used books came to \$13.00. The total circulation was at 3,943 items. The library added 302 books to the collection.

Mr. Marc Malvizzi asked for a motion to accept the reports.

Motion to Accept Reports: Drew Malvizzi

Second: Melissa Werner

Roll Call:

Ayes were unanimous and motion passed.

Public Comments Relating to the Agenda:

Joseph McCabe, 4 Pinewood Drive – stated that the agenda items for council meetings are ambiguous and cryptic. He doesn't know what some items mean and cannot prepare his comments for the meetings. He asked for better descriptions under each agenda item. He asked if the weed spraying agreement has to go out to public bid since council may consider a three-year award. Councilman Marc Malvizzi replied that it is below the bidding limits on the three-year total. Solicitor Sanguedolce added that there are also exceptions on options to renew but it is below the bidding limits.

Mr. McCabe gave his opinion on a rumor that repairs to the walking track at Creekside Park will be defunded. He believes this should be corrected.

He also spoke on the proposed revised operating budget that proposes a part-time fire driver. He indicated that one of his neighbors raised a concern that Councilmen Joseph Boos, Drew Malvizzi, and Marc Malvizzi need to recuse themselves for voting on the funding of the fire driver. Solicitor Sanguedolce responded that council isn't voting on the budget at the meeting but his initial thoughts are that the said councilmembers don't need to recuse themselves. He will look into the matter further since there isn't a direct financial benefit to them.

Joseph Niemiec, 2 Concord Drive – asked if the reason for them to not need to recuse themselves on voting for the fire driver was due to the 3,000-population rule. Solicitor Sanguedolce responded to say that the 3,000-population rule applies to employment and not whether they need to recuse themselves. Some discussions continued.

Mr. Niemiec asked additional questions on the operating budget and, specifically, if money was in the budget for Inkerman Road flood abatement. He spoke on using the current maintenance worker, Mike Dudeck, as the fire driver and getting him certified. Mr. Malvizzi indicated he would comment on that issue during his remarks.

Councilman Marc Malvizzi – gave comments on the reasons for reopening the operating budget and the position of the proposed fire driver that is included in the proposed revised budget.

The fire driver position was started in 1977 by Councilman Marc Malvizzi's father the late Mario Malvizzi while he served on council at the time. After 44 years it was defunded in 2021. Councilman Yastremski interjected to note that the council at the time did try to fill the position after advertising the same but due to a lack of applicants the position wasn't filled. Some discussions continued.

After some brief history on the position, Mr. Marc Malvizzi noted the importance of the position. The volunteers do make every call but not as quickly or efficiently as having a paid driver. This is the reason why he ran for office. Additional points were made.

The fire driver position would be about \$36,000 per year at \$18/hr. if all the daytime shifts are filled. He noted the borough added a lot of cameras with a cost, over the last few years, coming to about \$120,000. Noting that \$103,000 went to CVI; adding a utility pole at \$3,000 and another \$12,000 for electrical service items and conduit.

The borough spent \$301,003 on Inkerman Road in 2023. He is proposing to move \$3,000, included in the current budget for additional work on the road, to use it for payroll taxes and worker's compensation expenses for the new position. He is not against spending more money on Inkerman Road but doesn't believe the \$3,000 will solve anything more. He continued with possible funding ideas and comments, noting that the borough was awarded duplicate grants on a stormwater project in lower Laflin that can partially be repurposed for other uses. A separate grant was applied for on funding the ballfield drainage area rehabilitation work. Additional points were given and he responded to a question from Mr. Joseph Niemiec.

Mr. Marc Malvizzi commented on the ballfield drainage erosion issue. In 2023 \$60,000 was budgeted for the ballfield area and zero was spent and nothing was approved to be spent with no money left in the carryover for the project. He noted money spent for the ballfields in 2023 for solar powered security cameras and a recreation pavilion but nothing spent on drainage or erosion. The borough had \$700,000 in the bank in November of 2023 and \$600,000 was paid out in December leaving the borough with only a little bit of money. Out of that money spent was \$12,000 to CVI for solar powered security cameras that, as of the council meeting date, the cameras did not work. Additionally, two other solar powered cameras previously approved are not working. He stressed when the cameras were proposed that Laflin doesn't have the sunshine for that type of camera. In December council paid a \$12,000 deposit for the ballfield pavilion. He asked if that money should have been spent on the "emergency situation" at the ballfield (referring to the walking track embankment).

He is proposing to take money out for a fire driver but is leaving in place \$19,000 for engineering and emergency repairs that may come up down there. He has cut the grass at the ballfields many times and the area has always been wet and erosion has been happening over time. Maybe part of the budgeted money can be used to get a better fence but have the engineers design a grant project. He continued with additional comments.

He felt in his heart that the proposed changes are a better move and he asked councilmembers if they had any comments.

Joseph Niemiec, 2 Concord Drive – asked if there is a warranty on the solar powered cameras and can they be converted to electrical power. Mr. Marc Malvizzi responded to say there is not enough sun for the cameras to work properly as he warned in the past. He believes they will work fine in the summer with increased sunlight but there is a cost to convert them to electrical power. Some discussions continued

Councilman Carl Yastremski asked how long the solar powered cameras have not been working at the walking track since this is the first time he was hearing about the problems. The only camera that he heard as an issue was the lower Laflin camera at the 'S-turns' on Union Street. He wanted to know if CVI (contracted camera company) was contacted about the problem. Mr. Boyd responded to say that they work on sunny days but have been losing power quickly. Mr. Boyd noted that CVI brought in the Hikvision representative to inspect and make some adjustments.

Discussions continued on the three-year cost of the camera systems, in general, at \$120,000 and the many crimes that they have solved.

Joseph Niemiec also asked about the duplicate grants that the borough received for the lower Laflin stormwater project at \$238,000. Mr. Marc Malvizzi noted that both grants received are for the same project in lower Laflin for stormwater improvements. Mr. Boyd interjected to say that the borough likes to apply for as many grants that are available to municipalities. Sometimes we are not confident that one particular grant will be awarded so the borough applies for additional grant funding. Mr. Niemiec asked if there is a problem with auditing (single point audit) if two grants are used. Mr. Boyd responded to say, as an example, that the borough received a grant for federal money (ARPA) through the state (DCED) for stormwater and received fund through the state on casino money (CFA -DCED) for the same stormwater project. The project will be bid-out and once completed, the state funds remaining would be used on another project after receiving CFA state approval and a new contract executed with the state for the use of those funds. Mr. Boyd noted that he has done this multiple times in the past with CFA approval.

Unfinished Business:

A) County Income Tax Delegate (Berkheimer Tax Administrators) –

Noting the discussion was tabled last meeting, Mr. Marc Malvizzi asked for a motion to approve Charles Boyd as Tax Delegate.

Motion to Approve: Joseph Boos

Second: Drew Malvizzi

Roll Call:

Ayes were unanimous and motion passed.

B) Laflin Library HVAC System Replacement –

Mr. Marc Malvizzi indicated the age of the HVAC systems at the borough building as being 28 yrs. old and that the library air conditioning doesn't work. In July 2023 one proposal was received from the borough HVAC maintenance company for \$12,150. The new operating budget does have \$15,000 for the library system.

Mr. Boyd asked Mr. Marc Malvizzi to note the other units for the borough building. Mr. Marc Malvizzi believes that each year the budget will need to include replacement of one system until all four are replaced.

Mr. Marc Malvizzi asked Mr. Boyd to put the library system replacement out to bid for a decision at next month's meeting.

C) Borough Parks & Playground Winter Status –

Noting that it has been discussed several times in past council meetings, Mr. Marc Malvizzi believes that maintaining the parks in the winter months, as a resident as asked for the borough to do, brings about a liability issue for the borough. He asked Solicitor Sanguedolce if the current resolution that closes the parks from 10pm to 6am daily can be updated to include "closed in inclement weather". A sign can be installed stating the park is closed on bad weather days. Someone does shovel a patch around the walking track when it snows but a resolution and sign is needed. Some discussions continued.

Mr. Marc Malvizzi asked for a motion to table pending Solicitor Sanguedolce reviewing the current resolution to correct language to make sure that we are covered.

Motion to Table: Melissa Werner
Second: Drew Malvizzi
Ayes were unanimous and motion passed.

- D) Tax Anticipation Note Loan (TAN) –
Resolution #1 of 2024 \$125,000 Fidelity Deposit & Discount Bank Loan

Mr. Marc Malvizzi asked for a motion to approve the resolution.

Motion to Approve: Drew Malvizzi
Second: Joseph Boos
Roll Call:
Joseph Boos Yes
Drew Malvizzi Yes
Marc Malvizzi Yes
Melissa Werner Yes
Carl Yastremski Yes
Motion Passed.

New Business:

- A) 2024 Commercial Weed Spraying Agreement for Vegetation Control –
DeAngelo Contracting Services (formerly DBI Services)
\$4,000 for 2024 or \$3,950 Locked-In for 3 Years

Mr. Marc Malvizzi noted the history on the cost for this service, indicating it was once only \$500 or \$600 but then increased to \$3,400 two years ago. The former company (DBI) ended up going out of business with the new company (DeAngelo Contracting) at this higher rate. He asked Mr. Boyd to briefly explain what is done.

Mr. Boyd noted the main areas as the ballfield embankment off Union Street, areas of Rt.315 and Laflin Road, Old Mill Road roadside, and many other spots in the borough. Much discussion continued with Mr. Boyd recommending the 3yr. option.

Mr. Malvizzi asked for a motion to approve the 3yrs. at \$3,950 per year with DeAngelo Contracting Services.

Motion to Approve: Joseph Boos
Second: Drew Malvizzi
Roll Call:
Ayes were unanimous and motion passed.

- B) Laflin Borough Commercial Liability Insurance Package Renewal for 2024 –
with Worker’s Compensation and Cyber Liability Insurances /// Assured Partners of Northeastern PA

Mr. Marc Malvizzi noted the cost last year was \$28,287 with this current year proposal coming in at \$29,380. He asked for a motion to approve the proposal from Assured Partners of NEPA at \$29,380 that is already included in the 2024 budget. Mr. Yastremski thanked Mr. Boyd for his hard work to obtain good rates.

Motion to Approve: Melissa Werner

Second: Drew Malvizzi

Roll Call:

Ayes were unanimous and motion passed.

C) Re-open Laflin Borough 2024 Operating Budget –
Revised 2024 Budget Reading

Mr. Marc Malvizzi reviewed the changes as discussed earlier in the meeting during Public Comments. The proposed revised budget would move \$3,000 from the Inkerman Road sediment removal to fund payroll expenses and worker’s compensation and other insurances for a proposed part-time fire driver position. The position would be funded at \$36,000 per year by reducing line items on the ballfield rear drainage work and ballfield walking track embankment repairs. This would leave \$19,000 in the budget for these two items, which Mr. Marc Malvizzi believes is enough for engineering work and emergencies.

Mr. Yastremski interjected to correct the record on the issues at the ballfields. He noted that these items were in the budget for 2023 (referring to earlier discussions during public comments) but the borough could not get down on the field in 2023 due to the Williams Gas Co. pipeline project and that is why the money wasn’t spent. He believes that the money can’t be kept on the side getting very little interest while the many other projects that local governments have each year keep going up by 7 to 12 per cent. So, the right thing to do was to reallocate the funds.

Mr. Yastremski continued to explain the situation on the issues for the project funding. Many public comments and questions from the audience on various issues concerning the fire driver position were made.

After much discussion, Mr. Marc Malvizzi asked for a motion to approve reopening the operating budget for Laflin Borough 2024.

Motion to Approve: Drew Malvizzi

Second: Joseph Boos

Roll Call:

Joseph Boos Yes

Drew Malvizzi Yes

Marc Malvizzi Yes

Melissa Werner Yes

Carl Yastremski No

Motion passed.

D) Laflin Borough Salary Resolution –
Resolution #2 of 2024

Mr. Marc Malvizzi asked for a motion to approve the salary resolution. Mr. Yastremski questioned the inclusion of the fire driver position in the salary resolution since the revised budget was not approved. Mr.

Sanguedolce responded to say the position is included in the resolution to avoid the need on passing an amended resolution at a future date. If the revised budget isn't passed at the February council meeting, then the position is just a notation on the salary resolution.

Some discussions continued on the position of the fire driver and public safety with audience members commenting. Solicitor Sanguedolce indicated the salary resolution could be voted on with the fire driver position included.

Motion to Approve Salary Resolution: Drew Malvizzi

Second: Melissa Werner

Roll Call:

Joseph Boos Yes

Drew Malvizzi Yes

Marc Malvizzi Yes

Melissa Werner Yes

Carl Yastremski No

Motion passed.

E) Advertise for Part-time Paid Fire Driver / Maintenance Worker –

After receiving a suggestion from Solicitor Sanguedolce, Mr. Marc Malvizzi asked for a motion to table advertising for the fire driver position until the next council meeting.

Motion to Table: Drew Malvizzi

Second: Melissa Werner

Roll Call:

Ayes were unanimous and motion passed.

General Public Comments:

Scott Seeherman, 16 Peachwood Drive – asked if the borough passes the revised budget, would the borough then have two maintenance workers and a fire driver and what the current rate is for the maintenance worker. Mr. Marc Malvizzi responded in the affirmative and that the current rate is \$22 per hour for the full-time position.

Joseph McCabe, 4 Pinewood Drive – requested that a stop sign be installed at the intersection of Ashwood and Pinewood Drives due to excessive speeding. This would be a three-way intersection and slow traffic down. He thought a traffic study might be needed. Much discussion continued.

He also asked if there will be a borough property tax increase and if the rumors are true that the new council will be bringing back a local town police department or some type of partnership police force. Mr. Marc Malvizzi responded and indicated no tax increase for 2024 and no talks on changing the current police coverage.

Some discussions continued on refuse collection costs.

Joseph Niemiec, 2 Concord Drive – asked Council to make a motion to appointment him to perform a review of the Laflin Volunteer Fire Department financial records. He indicated that a former Council, back in 2017 (was actually 2018), appointed Mr. Niemiec to audit the fire department and he would like to do the same this year. Mr. Niemiec said the audit review turned out well for the fire department that year. After some discussions, Mr. Malvizzi said no motion is needed (and no appointment was made) for Mr. Niemiec to view the full financial records of the fire department and noted that Mr. Boyd already provided the same to Mr. Niemiec in the prior week. He said that Mr. Niemiec is welcomed to come over anytime.

Cindy Lucarelli, 157 Maplewood Drive – asked Solicitor Sanguedolce about the status of her complaints relating to stormwater issues from her neighbor’s property at 155 Maplewood Drive. Solicitor Sanguedolce was waiting for Wyoming Valley Sanitary Authority to see if they would handle it under the MS4 Stormwater ordinance but hasn’t received an answer back from them. Civil law indicates that directing water off higher ground, from its natural course, onto lower ground of someone else’s property is not allowed. That is what is happening in this situation and it needs to be handled by an attorney as a civil matter.

Discussions continued.

Executive Session: None

Adjournment: Motion to adjourn at 7:24pm.

Motion: Joseph Boos

Second: Melissa Werner

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager
Laflin Borough

_____ <<< END >>> _____