

Lafin Borough Council Mtg.

March 12, 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

Mr. Boyd read to meeting attendees the Sunshine Act notification as stated on the council meeting agenda.

Special Presentations: None

Minutes: February 13, 2024 Meeting

Mr. Marc Malvizzi asked if everyone reviewed the meeting minutes that were email to elected officials and asked for a motion to approve the meeting minutes.

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: Joseph Boos

Second: Drew Malvizzi

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. \$ 52,768.72 plus payroll \$ 9,529.98

Motion to Approve: Melissa Werner

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

Mr. Drew Malvizzi reviewed the monthly fire calls for February with 13 responses to alarms for the month. That would be a total of 30 calls for the year with 25 responses in town. For the month there were 7 medicals, 1 fire alarm, and 5 motor vehicle accidents.

He advised that the fire department, as was done last year, will provide traffic controls on Rt.315 for the upcoming clean-up event. Some discussions continued on the cleanup event.

Manager's Report – Charles Boyd

Mr. Boyd indicated that the Wyoming Valley Sanitary Authority (WVSA) will perform street sweeping within the borough on March 13th, 14th and 15th. He noted the state roads will be done on Friday, March 15th.

The street lights for Old Mill Road were installed by ppl Utilities. Mr. Carl Yastremski interjected to ask if council approved the installation. After some discussions, Solicitor Sanguedolce said it could be ratified at a later date, if needed.

Mr. Boyd spoke on the spring cleanup event, organized by Lisa Costa, that will take place on April 13th with a rain date of April 20th. The cleanup will again concentrate on the Rt.315 area. All are welcomed to join her and the other volunteers. Mrs. Costa will work with PennDOT for approve and have permission sign-off slips available to be signed by volunteers.

Mayor's Report – William Kennedy

Mayor Kennedy spoke on the upcoming Rec Board Easter party and noted the church youth group will also take part along with providing the church hall. This will expand on the event and get more involvement in the community and bring everyone together. As is always done, the fire department will take the Easter Bunny around town just prior to the party. Some discussions continued.

Library Association Report – Melissa Werner

Mrs. Werner spoke on the book club meeting on Wednesday night (3/13/24) at 6:30pm with the John Grisham's book *The Exchange* being discussed. The following Tuesday is the scheduled Laflin Library Association meeting at 6:30pm. Plans will be discussed at the association meeting for the National Library Week dinner meeting in April. Mrs. Werner stated the information will be sent to the Citizens Voice for publication.

Council President Report – Marc Malvizzi

Mr. Malvizzi spoke on the problematic new cameras at the park walking track area that are solar powered with RF (radio frequency) transmissions. These five cameras will be replaced at no charge to the borough by CVI. They only work on and off and the company has agreed to replace all units.

The 'S-turn' security camera was shot-up and vandalized and on the agenda to be discussed.

Mr. Malvizzi gave updates on the awarded grants in place for the borough. He noted the DPW truck is almost completed and is at the upfitters. It should be ready for delivery in a few weeks. The Green Light-Go traffic signal grant is ready to be approved to put-out-to bid and is on the agenda for vote. The 5% grant match will

be paid out of the Liquid Fuels account. The Lower Laflin Stormwater grant at approximately \$450,000 is on the agenda to engage the engineer to complete the engineering plans.

Mr. Malvizzi discussed the Creekside Community Walk Bridge engineering repair plans received from Pennoni Associates, Inc. Preliminary plans for the necessary repairs are indicated but a complete update for long term planning will be provided at a later date. A basic quote was received from Richard Kern Welding which will be discussed later in the meeting.

Mr. Malvizzi responded to a text message received from Mr. Niemiec, prior to the council meeting, on his concern on increased taxes for borough residents. Mr. Malvizzi spoke on the property taxes that he pays on his average house in Laflin Borough. Out of his \$5,200 total property taxes (property and school), he pays only a “shocking” \$359 to Laflin Borough. A surprising low number that the borough operates on during the year. Mr. Malvizzi stated for the record that in his next two years he will not have a tax increase on his watch and council will be very fiscally responsible.

Mr. Malvizzi also spoke on the response times of the fire department. Over the last 43 years that he has been with the Laflin Volunteer Fire Department, he has responded to nearly 8,000 calls and response times are very important to him. Anything that can be done to make it faster and add to better response times is his passion. He continued his remarks to explain how Laflin Borough starts out at a slight disadvantage on a portion of the 911 calls since they first come in to Luzerne Co. Communication Center and then, if a police call, are transferred to the Pennsylvania State Police. He continued to speak on this topic.

Mr. Malvizzi continued to speak on infrastructure issues and Inkerman Road before ending with a discussion with Mr. Yastremski on the old sewer maintenance fee charged to borough residents in the 1990s and 2000s at \$440.

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 – asked Council if the Jerome Patelunas property is in the possession of Laflin Borough; asked for more specifics on the walk bridge repair quote and expected reopening date; and, lastly, asked if the Pennsylvania State Police (PSP) were notified on the vandalized security camera being shot.

Mr. Marc Malvizzi responded to each question. The Jerome Patelunas property does not belong to Laflin Borough and will be discussed in detail later in the meeting. He also said that the walk bridge is on the agenda for a vote to repair it in the short term by a borough resident that is a welder. Mr. Malvizzi stated the bridge could be completed in a couple of weeks after steel parts are ordered and fabricated. The Pennsylvania State Police have been notified and a police report was generated by PSP for insurance.

Unfinished Business:

- A) Jerome Patelunas Property 934 Union Street for Luzerne Co. Upset Tax Sale –
Potentially Listed for April 25, 2024 Tax Sale /// Registration /// Max Bid Amount

Mr. Marc Malvizzi explained the situation since the last tax sale from September 2023. Mr. Patelunas successfully petitioned the court for all Luzerne Co. judges to recuse themselves from hearing his appeal case. A visiting Judge from Berks Co. granted his appeal but gave him until the April 25, 2024 continued Upset Tax Sale to pay the back taxes. Laflin Borough will be refunded the \$7,996. paid at the last tax sale.

Mr. Marc Malvizzi asked for a motion to empower Solicitor Leanord Sanguedolce to attend the upcoming tax sale and bid up to \$20,000 for the Jerome Patelunas property on behalf of Laflin Borough.

Motion to Approve: Drew Malvizzi

Second: Joseph Boos

Roll Call:

Ayes were unanimous and motion passed.

Some discussions continued on the need for a resolution to be passed at the April 9th meeting, what amount Mr. Patelunas needs to pay to retain the property, and the legal mailing address of Mr. Patelunas.

- B) PennDOT Green Light-Go Rt.315 / Laflin Road Traffic Signal Grant Project –
Approve Advertising for Bid Proposals

Mr. Marc Malvizzi asked for a motion to advertise and put the grant project out to bid.

Motion to Approve: Drew Malvizzi

Second: Melissa Werner

Roll Call:

Ayes were unanimous and motion passed.

- C) Laflin Borough Revised Emergency Operation Plan (EOP) Updated 2024 –
Approve Promulgation and Resolution #4 of 2024

Mr. Marc Malvizzi reviewed the updated EOP plan that was started about a year ago with Pennoni Associates. The updated plan will be distributed to the appropriate entities, including the church and Oblates. The borough now has a template for future revisions.

Mr. Boyd did not receive the invoice as of the meeting date from Pennoni Associates, Inc. for the cost to prepare the plan but the anticipated amount was \$2,500.

Mr. Marc Malvizzi asked for a motion to approve the promulgation and resolution adopting the new EOP.

Motion to Approve: Melissa Werner

Second: Drew Malvizzi

Roll Call:

Ayes were unanimous and motion passed.

- D) Hire Laflin Borough Part-time Fire Driver / DPW Employees –
 \$18.00/hr. as needed position
 Michael Wall
 Michale Roper
 Brendan Kelly

Mr. Marc Malvizzi noted that multiple interviews of the applicants were done by Mr. Marc Malvizzi, Mrs. Werner and Fire Chief Jody Reinard. Three applicants were recommended for hiring.

Mr. Marc Malvizzi asked individually for separate motions to hire Michael Wall, Michael Roper, and Brendan Kelly. Prior to voting, Mr. Marc Malvizzi responded to a question from resident Joseph Niemiec to clarify the hours of the new position for the motion. Mr. Malvizzi stated that there will be no promised hours to anyone with a maximum of 40 hours total per week as was done in the past. Each part-timer will have a maximum of 32hr. per week since there are no benefits and they are not full-time employees.

	<u>Michael Wall</u>	<u>Michael Roper</u>	<u>Brendan Kelly</u>
Motion to Hire:	Melissa Werner	Melissa Werner	Melissa Werner
Second:	Drew Malvizzi	Drew Malvizzi	Drew Malvizzi
<u>Roll Call:</u>			
Joseph Boos	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Drew Malvizzi	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Marc Malvizzi	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Melissa Werner	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Carl Yastremski	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

E) Creekside Community Park Walk Bridge Repairs – **TABLED**

Approve Bid Proposal: Richard Kern Welding & Fabrication \$2,976

Mr. Marc Malvizzi explained the Pennoni Associates preliminary plan to repair the walk bridge in the short-term while waiting for a long-term inspection and maintenance report on the pedestrian bridge. These proposed repairs shown on the basic plan would get it back in service. Other items would be looked at a later date.

The proposal from Richard Kern was prepared just prior to the basic preliminary repair plan from Pennoni Associates based on a meeting he had with the engineers. Mr. Marc Malvizzi read the entire proposal with a breakdown on each item. After the Richard Kern proposal was presented to Laflin Borough the basic preliminary plan was received that included some additional items to be repair that were not mentioned in the engineering meeting. Mr. Marc Malvizzi suggested a motion to approve up to \$6,000 for repairs by Richard Kern to cover the additional items in the preliminary repair report.

Mr. Yastremski questioned the engineering report that was authorized at a cost of \$11,750 but was still a preliminary plan. Mr. Yastremski said for that cost a more detailed plan should have been provided and he cannot vote on the proposal with the plan in the preliminary state. Further discussions continued including when the final plans would be available.

During the many discussions, Mr. Boyd interjected to note that the bridge is used by many walkers and he has received many calls on the status of the reopening.

Mr. Marc Malvizzi asked for a motion to table the matter until more information becomes available for a special meeting or for the next regular meeting.

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

New Business:

- A) Lower Laflin Stormwater Project for East Saylor Ave. & Union Street –
DCED LSA Grant \$225,340
DCED ARPA PA Small Water Grant \$230,945
Approve Pennoni Associates, Inc. Engineer Proposal \$23,500 plus hourly

Mr. Marc Malvizzi asked for a motion to approve the Pennoni Associates, Inc. proposal on engineering for the stormwater project. Grant proceeds will cover the cost of the engineering.

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

- B) Vandalized Cellular Security Camera Replacement at Union Street ‘S Turns’ –
CVI Proposal \$2,988

Mr. Marc Malvizzi indicated the damaged camera is not repairable and a quote was obtained from CVI to replace the entire unit. The camera was not working when it was shot by a vandal. The low sun light in that area doesn't allow for the solar powered camera to fully charge.

After some discussions, Mr. Drew Malvizzi made a motion to not replace the security camera in the ‘S Turns’.

Motion to Not 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.

Council Comments / For the Good of the Order:

Mr. Marc Malvizzi noted the next council meeting scheduled for April 9, 2024 and the upcoming Memorial Day Ceremony at the end of May.

Mr. Drew Malvizzi asked to have the borough engineer look into the cost of a study to address the Ashwood Drive / Pinewood Drive intersection stop sign requested from Mr. Joseph McCabe at the last council meeting. Solicitor Len Sanguedolce, Esq. responded to say that a motion is not needed to have the borough engineer look into the requirements.

Mr. Yastremski spoke on a comment made at the last council meeting by borough employee Michael Dudeck on the pending PA House Bill 299 addressing Occupational Safety and Health Act (OSHA) requirements that municipalities may need to follow in the near future (2025). Mr. Yastremski wanted to set the record straight and clarified that the proposal bill was passed by the state House but is still in committee for the state Senate for consideration and, most likely, will not come to a full vote due to being an unfunded mandate. Some discussions continued on the proposed bill and if that would require two employees on certain borough tasks if passed.

General Public Comments:

Joseph Niemiec, 2 Concord Drive – asked if the approximate \$37,000 for the new part-time paid position is covered in the operating budget. He also asked that council pay close attention to the infrastructure needs of the town. Some discussions followed.

Joseph McCabe, 4 Pinewood Drive – asked if Mr. Marc Malvizzi is really considering a 275% increase in the sewer maintenance fee. Mr. Marc Malvizzi responded to say absolutely not increasing the fee and was referring to what could have been done with the infrastructure if the old \$440 fee was still in place. Some discussions followed.

Josphe Spagnuolo, 89 Ashwood Drive – asked when and what time work sessions are held. Mr. Marc Malvizzi responded to say that the borough doesn't usually have work sessions. If needed, they would be 30 minutes prior to the scheduled council meetings.

Mr. Spagnuolo asked if the Luzerne Co. 911 Center has the emergency operation plan since the last time he contacted 911, when flooding took place at the church rectory, they told him that no contact numbers are available for Laflin Borough. Much discussions took place on the EOP.

Sandra Falcone 113 Laflin Road – asked what could be done about the cats (not necessarily feral cats) roaming the neighborhoods and causing problems. Jody Ozark, 111 Laflin Road spoke along with Mrs. Falcone on the cats and her experience trying to resolve the matter with a townhouse resident neighbor. Much discussions on the issue continued.

Councilmember Yastremski – noted for the record that, just prior to the start of the meeting, he discussed with Solicitor Sanguedolce the letter of concern on the Inkerman Road embankment issue for vehicle safety in Jenkins Township. Solicitor Sanguedolce agreed to send a letter to the Jenkins Township Solicitor giving notice on our concerns that a vehicle could leave the roadway and go over the steep embankment.

Executive Session: None

Adjournment: Motion to adjourn at 7:11pm.

Motion: Drew Malvizzi

Second: Joseph Boos

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager
Laflin Borough

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