

# Lafin Borough Council Mtg.

August 8, 2023

6:00 P.M.

## MEETING MINUTES

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

### Roll Call:

Present: Carl Yastremski, President – Anthony D’Eliseo, Vice President – Paul Benderavich – Kyle Costello –  
Marc Malvizzi – Absent: Mayor William Kennedy  
Also Present: Solicitor Leonard A. Sanguedolce, Esq. and Charles Boyd, Borough Manager

**Special Presentations:** State Representative Jimmy Haddock was scheduled to address councilmembers.  
He mistakenly arrived at 7pm after the meeting adjourned. He did not attend the meeting.

### Minutes: July 11, 2023 Meeting

Mr. Yastremski asked if everyone reviewed the meeting minutes and if anyone had any questions or comments. Mr. Yastremski then asked for a motion to approve the meeting minutes.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

#### Roll Call:

Councilmembers A. D’Eliseo and K. Costello abstained due to absence at that meeting.

Ayes carried and motion passed.

### Treasurer’s Report:

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

Motion to Accept: Paul Benderavich

Second: Marc Malvizzi

#### Roll Call:

Ayes were unanimous and motion passed.

### List of Bills for Approval:

Mr. Yastremski asked if anyone had any questions or comments then asked for a motion to approve the bills.  
\$44,158.11 plus payroll \$10,561.03

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

#### Roll Call:

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

Councilman Benderavich abstained on wife’s payroll approval.

Ayes carried and motion passed.

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

**Reports:**

The Laflin Volunteer Fire Dept. report was emailed to councilmembers. No discussion.

The state police discontinued providing monthly reports since the completion of the PSP crime data website.

**Manager's Report –**

Mr. Boyd spoke on the acquisition of County Waste of PA/GFL by Casella Waste Systems, Inc. with everything relating to service to Laflin Borough remaining the same. The garbage and recycling trucks will be updated to indicate the new company name in the near future.

It was noted that the borough's earned income tax collection saw an increase as noted on the monthly treasurer's report. The temporary increase was due to the Williams Transco Gas Pipeline project occurring in the borough.

The ballfields and walking track restoration work, from the gas pipeline project, is moving along and proceeding well. A new Department of Environmental Protection (DEP) permit is needed in the borough's name in order to complete the restoration in that area. The new permit would allow for work on the entire ballfield area outside the work zone. The permit is in progress with DEP.

Mr. Boyd noted the conclusion of the rec summer camp program and said it was a good program with good feedback from kids and parents.

Borough resident Joseph Spagnuolo, who could not attend the meeting, previously asked Mr. Boyd to pass on his thanks to councilmembers for supporting and bidding the Ashwood Drive stormwater project.

**Mayor's Report – Absent**

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

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Ayes were unanimous and motion passed.

**Public Comments Relating to the Agenda:**

Joseph McCabe, 4 Pinewood Drive – Questioned why additional items, along with the agenda, are not included on the borough's website for transparency. The treasurer's report and list of bills being discussed was noted. Mr. Yastremski said council would take a look at it.

**Unfinished Business:**

- A) Borough Building Fire Department Flooring –  
Giant Floor & Carpet Updated Proposal ... \$11,300

Councilman Malvizzi provided an update on the revised flooring proposal and noted the new proposal has all tile flooring without any carpet areas. The revised proposal was prepared by Pete Rubando and it included the council meeting room.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello Yes

Paul Benderavich Yes

Anthony D'Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

Councilman Benderavich added that the borough should pursue replacing the library carpet but noted the library personal are against it because of the work involved with the logistics of moving everything. He believes the library could be done in two sections to make it work. Marc Malvizzi said he would start the process on getting a quote from Giant Floor.

#### **New Business:**

A) Foreclosure Registration Company & Ordinance –

MuniReg, LLC or HERA Property Registry, LLC - Recommended by Pittston City Code Enforcement

Mr. Boyd explained that Harry Smith, Pittston City Code Enforcement asked that the borough consider an agreement with one of the companies to require the registration of foreclosure properties in town. Pittston City, who handles code enforcement for Laflin Borough, uses a foreclosure registry company and it has worked well in the past for them. The company would require any property that enters foreclosure to registry with that company so that property maintenance issues are handled until the property transfers to a new owner. Registration would be required every six months to ensure updated information.

Laflin Borough would need to prepare and pass an ordinance along with signing the agreement. Solicitor Sanguedolce reviewed the agreement and said it would not cost the borough any money. He believes the ordinance would need to be tweaked to meet the needs of the borough.

Some discussions took place. No vote taken. The issue will be considered at a future council meeting.

B) Laflin Borough Building HVAC System Upgrades & Repairs –

Bid Specifications / Bid Advertisement

Mr. Boyd indicated one system is totally down and the other three systems are 26 yrs. old and well passed their life expectancy. The estimated cost to replace all four systems would be \$50,000.

Motion to Approve Preparing Specifications and Bidding: Paul Benderavich

Second: Kyle Costello

Roll Call:

Ayes were unanimous and motion passed.

## **Public Comments:**

Tricia Desiderio, 1 Pinewood Drive – asked about the status of grass cutting at 34 Laurelwood Drive that is very high. She indicated out-of-state cars were at the property recently but the grass wasn't cut. She believes that the grass isn't cut because that resident sees the condition of 24 Laurelwood Drive that also has high grass and weeds. She understands that the use of the property for a short-term rental was stopped by the zoning office, but she believes letting the grass grow high is in retaliation.

A long discussion ensued with various councilmembers and audience attendees. Some items talked about regarded the 24 Laurelwood Drive condition: entering the property to cut the grass; using the Court of Common Pleas as a last resort; liabilities on entering a property; placing a lien on the property.

Mr. Boyd responded to say the resident was spoken to and, separately, the code enforcement office has sent a notice to the owner at 34 Laurelwood Drive.

Joseph McCabe, 4 Pinewood Drive – spoke on other properties with high grass. He noted one property on Pinewood and three properties on Laurelwood in bad condition. He believes the town needs to get hard on property owners and believes properties are not being maintained as was done in the past. People need to take care of their properties.

Some discussions ensued.

Eddie Acevedo, 21 Dogwood Drive – asked if there is a procedure in place before an Airbnb, or any type of rental, is established or before it is operating.

Solicitor Sanguedolce responded to say that they are not allowed in an R-1 District unless a special exception is granted by the Luzerne Co. Zoning Board.

Some discussions ensued.

Cyndia Lucarelli, 157 Maplewood Drive – asked if the size of the shed on 155 Maplewood Drive was inspected. Mr. Boyd indicated that Luzerne Co. Zoning Office was contacted about the complaint to investigate compliance to the zoning permit on size and use.

Evelyn Wilson, 157 Maplewood Drive – also spoke on the shed at 155 Maplewood Drive and complained not enough is being done.

Discussions continued on various issues including the condition of the fence on the property line between 155 & 157 Maplewood Drive; water runoff from the 155 Maplewood Drive property onto their property and the structure of the neighbor's shed.

Eddie Acevedo, 21 Dogwood Drive – spoke again during public comments to ask about the status of the borough selling the property to his rear to him and his wife.

Councilman Yastremski responded to say that the borough isn't willing to sell any property at this time. The property was purchased by the borough two years ago with the intent that the land would be kept for the

integrity of the borough so that nobody could build in back of Dogwood Drive, Walnutwood Drive or Creekside Drive areas. This is what councilmembers contemplated several months ago when other residents approached council on purchasing property behind their homes on Walnutwood. The intent is for the borough to keep that land and preserve that land. Mr. Acevedo noted he already owns the front portion of the land and only is requesting a two small sections to his rear that wouldn't be built on. Mr. Yastremski indicated that the borough can't sell a portion of that land to one resident and not the others. The land would also have to be put out to bid so that anyone could buy it.

Considerable discussions continued.

Joseph McCabe, 4 Pinewood Drive – spoke again during public comments to request that the local level politicians be contacted again to help with the approval process on the conversions of the remaining septic tanks to be directly connected to the sewer system.

Councilman Benderavich gave a full history on the request for approval from DEP to convert the septic tanks by direct connection. He also spoke on what transpired when the state representatives were contacted to get involved in the past to help with the situation.

Some discussions continued.

**Executive Session:** None

**Adjournment:** Motion to adjourn at 6:48pm.

Motion: Paul Benderavich

Second: Kyle Costello

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager  
Lafin Borough

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