

# Laflin Borough Council Mtg.

November 14, 2023

6:00 P.M.

## MEETING MINUTES

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

**Roll Call:** Anthony D’Eliseo called the meeting to order and completed roll call while waiting for Council President Carl Yastremski to arrive.

Present: Carl Yastremski, President – Anthony D’Eliseo, Vice President – Paul Benderavich –  
Marc Malvizzi – Mayor William Kennedy

Absent: Kyle Costello and Charles Boyd, Borough Manager

Also Present: Solicitor Leonard A. Sanguedolce, Esq.

**Special Presentations:** None

**Minutes:** No Meeting Minutes Presented (not completed)

Mr. D’Eliseo asked for a motion to table the meeting minutes for the September and October council meetings.

Motion to Approve: Marc Malvizzi

Second: Paul Benderavich

Roll Call:

Ayes were unanimous and motion passed.

### **Treasurer’s Report:**

Mr. D’Eliseo 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. D’Eliseo asked for a motion to approve the bills [\$ 78,668.72 plus payroll \$8,213.50] and took roll call.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Yes but abstained on CVI invoice due to employment

Marc Malvizzi Yes

Carl Yastremski Not present at time of vote

Motion passed.



change order is something different than that approval. Mr. Benderavich responded to say that the road was already opened and approval was needed at the time of the work. Mr. Yastremski indicated that the prior meeting work approval was a different issue and that work was done at no cost to the borough by the contractor for that issue from last month.

After further discussions, Mr. Yastremski asked for a motion to approve.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D'Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

B) Project Change Order for Chestnutwood Drive Stormwater Project –

M&J Excavation, Inc.	\$ 4,800	Roadway Asphalt Repairs Outside Scope
	\$12,000	Relocation of 18" Stormwater Pipe into Roadway

Mr. Yastremski explained the situation for the change orders which were due to buried electrical wiring in the roadway and asphalt repairs from a water main break that caused a road sinkage.

Mr. Yastremski asked for a motion to approve.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D'Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

C) Project Change Order for Creekside Paving Project –

H&K Group, Inc.	\$10,060.47	Underdrain Piping at 6 Peachwood Drive
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Mr. Yastremski explained that the borough engineer was contacting the contractor to get a better price on the proposed work but was uncertain if that would be obtained. Mr. Malvizzi asked if the work was pending or completed and if this was missed by the borough engineer when preparing the specification. Mr. Yastremski responded that the situation arose today and wasn't completed. Mr. Benderavich added that it wasn't determined if the drainage would be needed until the road was opened up and they got down to the base.

Mr. Yastremski asked for a motion to approve.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello	<u>Absent</u>
Paul Benderavich	<u>Yes</u>
Anthony D'Eliseo	<u>Yes</u>
Marc Malvizzi	<u>Yes</u>
Carl Yastremski	<u>Yes</u>

Motion passed.

D) Ballfield / Walking Track Security Camera Changes per CVI Proposal –

CVI \$5,929 Beam Camera Type in place of Cell Type Units

Add One Solar Powered Camera

One Solar Powered Camera will be relocated to the 'S' turn area of Union St.

This was discussed during public comments on the agenda. Councilman Malvizzi had a few additional questions. He asked if the cameras are still cellular capable and if the new DVR is replacing the existing unit. Mr. Deliseo responded in the affirmative. Mr. Malvizzi also voiced his concerns that the solar paneled cameras are mounted on the poles and are exposed to damage from errant baseballs. They look like huge targets.

Some discussion continued on the number of cameras in the park to cover blind spots.

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

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello	<u>Absent</u>
Paul Benderavich	<u>Yes</u>
Anthony D'Eliseo	<u>Abstained</u> (due to employment with CVI)
Marc Malvizzi	<u>No</u>
Carl Yastremski	<u>Yes</u>

Motion carries for approval of \$5,929.00.

E) Borough Property Tree Removal at 10 Walnutwood Drive –

Tom'z Tree Service Six (6) Trees on Laflin Borough Property \$1,400.00

Mr. Yastremski explained that the trees are infringing on the property at 10 Walnutwood from the borough property. Mr. Yastremski asked for a motion to approval.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello	<u>Absent</u>
Paul Benderavich	<u>Yes</u>
Anthony D'Eliseo	<u>Yes</u>
Marc Malvizzi	<u>Yes</u>
Carl Yastremski	<u>Yes</u>

Motion passed.

F) Lower Laflin Community Park Memorial Tree Removal for New Sign –

Tom'z Tree Service           \$1,100  
Sierra Six (wire relocation) \$ 850

Mr. Yastremski explained the situation with a new welcome sign pending to be installed at the lower playground flag area. Mr. Yastremski referred to a diagram prepared by Mr. Boyd that showed the proposed location of the new sign to the left of the memorial area. Mr. Yastremski believes the sign should be centered in the memorial area and the tree removed to allow for the sign. Wires attached to the tree for the security cameras would have to be relocated to allow for removal. Mr. Yastremski asked councilmembers on their opinion.

Mr. Benderavich responded to say he believes the tree needs to be removed because it will only get bigger over time. Mr. Malvizzi responded to say that it would change the entire intersection. The area looks nice with the tree and it provides shade for the park. He believes it could be looked at again after the sign is installed. At that time the decision could be made to remove it. The sign to the side would look better and be seen better. Mr. Malvizzi also questioned the company that would relocate the wires since he wasn't sure who they are and if they are licensed, bonded and insured. Once the tree is gone it is gone forever.

Much discussion continued.

Mr. Benderavich made a motion to cut the tree down and relocate the wires. The wires will need to be relocated because the tree will be dropped in the playground and it is a liability. Audience member Melissa Werner interjected to ask when the work would be done. Mr. Benderavich replied that the contractor is available and as soon as he can get it done.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Kyle Costello           Absent

Paul Benderavich       Yes

Anthony D'Eliseo       No

Marc Malvizzi           No

Carl Yastremski         Yes

Council Vote Deadlocked / Tied

Mayor William Kennedy cast No for tie-breaking vote.

Motion Failed

G) Laflin Borough Security Camera Policy and Ordinance –

Solicitor Sanguedolce indicated that the item should be table until he can receive feedback from councilmembers. Mr. Yastremski asked for a motion to table the procedures and ordinance discussion until a future date.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

H) 2<sup>nd</sup> Reading of the Proposed 2024 General Fund Operating Budget –

Mr. Yastremski read the total revenues at \$1,257,443 with matching expenditures of \$1,257,443 for a balanced budget and no tax increases. He mentioned the major highlights of the proposed budget that include \$466,562 of grants secured by the current council that will arrive in 2024 and it includes a tax anticipation note of \$125,000. The combination of both (grants and TAN) at approximately \$590,000 comprises 45% of the total budget. He reviewed two major projects, included in the 2024 Operating Budget, that need to get completed in 2024. Erosion at the walking track embankment near the creek and rehabilitation on the drainage swale at the walking track on the Chestnutwood side should be completed in 2024.

Mr. Malvizzi asked if matching funds for any of the awarded grants are included in the budget. Mr. Yastremski replied and reviewed the same. Much discussion continued.

Mr. Yastremski asked for a motion to approve the 2<sup>nd</sup> reading of the budget at \$1,257,443 in revenues and expenditures.

Motion to Approve: Paul Benderavich

Second: Anthony D’Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

**New Business:**

A) Adobe Acrobat Pro for Borough Computer for File Management –

CVI Proposal \$685.00 Perpetual Licenses

Mr. Yastremski asked for a motion to approve the perpetual license at \$685.00.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Anthony D’Eliseo abstained from the vote due to employment at CVI.

Ayes carried and motion passed.

B) Approve Contracted Snow Plow Companies for Emergency Back-up –

Stell Enterprises, Inc. / Smith Blacktopping / Semyon Trucking / JR Evans Trucking  
\$95/hr. Truck & Driver w/Insurance

Mr. Yastremski asked for a motion to approve the companies as emergency back-ups.

Motion to Approve: Paul Benderavich

Second: Anthony D’Eliseo

Roll Call:

Ayes were unanimous and motion passed.

C) Community Bank Cash Management Services / CD Rates –

Mr. Yastremski noted that this was brought to Mr. Boyd’s attention, about receiving additional rates of interest on the available borough funds, back when the Williams Gas Pipeline funds were holding in bank accounts. Due to capital improvement project taking place in the borough this year, the available funds will be much less to invest. He added that the borough has an existing sewer loan from the borough’s current bank that requires the depository accounts to be held at the current bank.

Discussions continued with updated CD rates being provided for councilmembers’ review. Mr. Yastremski noted the large workload administratively to move banks. The borough will be taking a tax anticipation note out for the upcoming year and it is in the borough’s financial interest to pay back the TAN as fast as possible because the borough is paying a rate of interest. The borough will have less money to put into a certificate of deposit (CD).

Some discussions continued. It was decided to leave the decision to the incoming councilmembers. Solicitor Sanguedolce advised to fail the motion so it doesn’t have to keep continuing every month on the agenda. A motion was made by Paul Benderavich. No second. Motion failed.

D) Set & Advertise Laflin Borough Council Meeting Dates for 2024 –

Reorganization Meeting: Tuesday, January 2, 2024 at 6pm

Regular Council Meetings: 2<sup>nd</sup> Tuesday of each Month at 6pm with Work Session at 5:30pm, if needed

Keep 2<sup>nd</sup> Regular Meeting for January 9, 2024 at 6pm

After a brief discussion on the need to advertise the upcoming meetings in the newspaper before the new council is seated along with the need for two meetings in January, Mr. Yastremski asked for a motion to approve the schedule.

Motion to Approve: Anthony D’Eliseo

Second: Paul Benderavich

Roll Call:

Ayes were unanimous and motion passed.

E) New Ballfield Bases for Creekside Community Park –

George Ely Associates, Inc. Costar Pricing \$1,910

After some discussions, Mr. Yastremski asked for a motion to approve the purchase of new bases for the ballfields at \$1,910.

Motion to Approve: Paul Benderavich

Second: Anthony D’Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes Motion passed.

- F) Creekside Community Park Walking Track Embankment Restoration Project –  
Prepare Engineering Specifications by Borough Engineer Don Totino, Pennoni Associates, Inc.

Mr. Yastremski noted it will take 6 to 9 months for a permit to be obtained from the Department of Environmental Protection (DEP) to do the work at the embankment of Gardner Creek. The engineering specifications need to be prepared to obtain the permit and get the work out to bid. New council (taking seat in January) can evaluate the bid results.

Mr. Yastremski asked for a motion to approve preparing engineering specifications for the work needed at the walking track embankment area.

Motion to Approve: Paul Benderavich

Second: Anthony D’Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

- G) Creekside Community Park Drainage Swale Restoration Project(s) –  
Prepare Engineering Specifications by Borough Engineer Don Totino, Pennoni Associates, Inc.

Mr. Yastremski note the drainage swale was talked about before and is located near the walking track on the Chestnutwood Drive side of the hill.

Mr. Yastremski asked for a motion to approve the engineering specification for the work needed at the drainage areas of the walking track / ballfields.

Motion to Approve: Paul Benderavich

Second: Anthony D’Eliseo

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Yes

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

**Public Comments:**

Lisa Costa, 17 Oakwood Drive – asked council if the water conditions coming from the newly renovated section of the ballfields onto the walking track will be fixed. Councilman Yastremski replied and explained that the contractor for Williams Gas will be returning to install underdrainage piping in the fields and sod the remainder of both ballfields this spring.



She asked if winter maintenance can be done for the walking track since many people use the facility throughout the year. Perhaps using the quad and plow to clear the walking track. Currently, a resident shovels a single path around the track if it snows.

Discussions continued on whether the park is considered open and/or if it should be closed during the winter months due to liability issues. Solicitor Sanguedolce recommended closing the park for the winter. Mr. Yastremski responded that he would have Mr. Boyd check with other towns.

Cindy Lucarelli, 157 Maplewood Drive – wanted to add to the record her water problem that was talked about at previous council meetings. She is having a water problem from the neighbor's shed rain gutters that are directed towards her property. They are directly pointed at her house.

After much discussions, the municipal stormwater ordinance will be forwarded to Mrs. Lucarelli so that she can present it to the neighbors, if civil action is needed.

Evelyn Wilson, 157 Maplewood Drive – spoke along with Cindy Lucarelli on the water issue from the neighbor's property and, additionally, on a fence issue with a different neighbor. She lamented that handling it with an attorney legally is very expensive. Much discussions continued.

Joseph McCabe, 4 Pinewood Drive – In referencing Councilmember Kyle Costello, he asked if the borough has a policy on missing two council meetings in a row that the councilmember is considered off council. Councilmember Paul Benderavich responded that a vote by council would be required.

Mr. McCabe asked on the status of the September approved solar powered speed radar sign. Mr. Benderavich responded that it was back ordered and will arrive by December 1<sup>st</sup>.

Some discussions took place on a large truck that was recently disabled on Ashwood Drive and the Inkerman Road construction project.

Lisa Costa, 17 Oakwood Drive – asked what can be done about the home on Cedarwood Drive that has multiple families and running a business out of the home with tractor trailers located at the property. There are three tractor trailer cabs at the property. She believes there are several families leasing the home that are from out of state that come and go. She also lamented about tiny toddlers that are running around the roads screaming some nights from midnight to 2am in the morning.

Many discussions continued with many conversations happening at the same time [inaudible].

**Executive Session:** None

**Adjournment:** Motion to adjourn at 7:13pm.

Motion: Paul Benderavich Second: Marc Malvizzi The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager

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