

Lafin Borough Council Mtg.
September 12, 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 – Paul Benderavich – Kyle Costello – Marc Malvizzi – Mayor Kennedy –

Absent: Anthony D’Eliseo

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

Special Presentations: None

Minutes: August 8, 2023 Meeting

Mr. Yastremski asked for a motion to approve the meeting minutes.

Motion to Approve: Paul Benderavich

Second: Kyle Costello

Roll Call:

Ayes were unanimous and motion passed.

Treasurer’s Report:

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

Motion to Accept: Paul Benderavich

Second: Kyle Costello

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.

\$58,950.00 plus payroll \$12,673.40

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

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 a meeting that will be held with Williams Gas Pipeline to discuss road damage that may have occurred on borough roads during the gas pipeline project. Resurfacing the top of East Saylor Avenue along with areas on Dogwood Drive and Elmwood Drive were marked for repairs. Chestnutwood Drive was marked and will be looked at as well.

He noted that the contracted trash and recycling hauler was late again on collecting recycling in the borough. An email was sent from Casella Waste Services to the borough explaining the problems and it was indicated that worker issues were not the problem but misdirected trucks.

The Chestnutwood Drive stormwater project is still being held-up due to the lack of a PennDOT highway occupancy permit approval to tie into on Laflin Road at the corner of Chestnutwood Drive. Don Totino continues to work on the approval and noted that M&J Excavating has the required materials to complete the project.

Mayor's Report – No report presented.

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 – commented on a few different topics indicated on the agenda. He would like to see vinyl flooring installed in the library since it would be less maintenance than the proposed carpet planks. He asked Council to explain the minimum municipal obligation liability that the borough has with the pension plans as noted on the agenda. Both Councilman Benderavich and Mr. Boyd responded to his question to explain it is an annual funding of the existing pension plans to maintain solvency.

Mr. McCabe asked about the need of a Deputy Tax Collector under Act 48 of 2015. He also questioned the need for the proposed radar speed sign since the borough doesn't have a local police force. He questioned the proposed security cameras for the lower park and inquired if it will be a Costars contract.

Mr. Boyd and Councilman Benderavich responded to say that the current state required Deputy Tax Collector is medically disabled and a new deputy is needed. It was stated that the CVI proposal was a Costars quote.

Joseph Spagnuolo, 89 E. Ashwood Drive – was concerned about the waste management collection delays and spoke on the problems with delayed pickup going into the winter months. Recycling will be blown around the borough if left to sit out for two days. He asked if the company would be responsible for cleaning up properties.

Councilman Yastremski responded to say that individual cases can be reported to Mr. Boyd who then will contact the waste management company and address it with them.

Mr. Spagnuolo asked about viewing the list of bills and treasurer's report. Mr. McCabe interjected to question why they are not posted online (borough website) with the agenda, as is done with Luzerne County for their council meetings. Solicitor Sanguedolce responded to say the borough doesn't have the staff like the county employs. Councilman Yastremski responded to say that both documents are available at the meetings and, anytime, at the borough office to be viewed.

Unfinished Business:

A) Approve Local Share Account Grant (LSA) Resolutions and Grant Submissions to DCED –

1. Lower Laflin Paving Project for E. Saylor Ave. & Broadway Street
2. Restoration Project for MS4 Stormwater Outfalls
3. DPW Equipment Accessories (trailer & backhoe attachment)

Mr. Yastremski reviewed the three resolutions listed for approval for the next round of LSA grant submissions. He asked if any other project listed on the agenda could also be submitted for the grant funding since the borough will not have enough general funds to support these other projects. Mr. Boyd responded to say no, since much prep work needs to be done to submit a project for funding. The deadline for submission is approaching fast.

Some discussions took place on the resolutions with Solicitor Sanguedolce summarizing each document. Mr. Yastremski asked for a motion to approve all three resolutions.

Motion to Approve: Paul Benderavich

Second: Kyle Costello

Roll Call:

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

Motion passed.

B) Ashwood Drive Stormwater Project Bid Results –

Fehlinger Construction Group, LLC	\$ 83,392.00
Don E. Bower, Inc.	\$ 93,700.45
Linde Corporation	\$ 103,614.00
Stafursky Paving Co.	\$ 110,921.50
Kobalt Construction	\$ 118,450.00
Kruger Pipeline, Inc.	\$ 126,940.00

Mr. Yastremski asked for a motion to table acting on the Ashwood Stormwater Project Bids until funding can be determined.

Motion to table Ashwood Drive Stormwater Project Bid Results.

Motion to Table: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Ayes were unanimous and motion passed.

Note: The Creekside Paving Project C) was discussed and voted on before discussing and tabling the Ashwood Drive Stormwater Project B) as noted on this council agenda.

C) Creekside Paving Project Bid Results –

	<u>Haverford</u>	<u>Peachwood</u>	<u>Creekside</u>
H&K Group, Inc.	\$104,604.13	\$122,638.60	\$ 94,416.32
Gaver Industries, Inc.	\$114,777.00	\$114,214.00	\$ 96,519.50
M&J Excavation, Inc.	\$135,765.00	\$146,950.00	\$ 97,323.75
American Asphalt Paving	\$130,130.55	\$154,822.00	\$107,466.50
Kobalt Construction	\$137,125.00	\$168,825.00	\$112,535.00
Pennsy Supply, Inc.	\$140,070.00	\$164,375.00	\$120,822.25
New Enterprise S&L	\$155,544.00	\$182,640.00	\$121,597.50
Multiscape, Inc.	\$164,426.55	\$204,445.94	\$142,879.51

Mr. Yastremski recommended approving Peachwood Drive and Creekside Drive since both roads go hand-in-hand with each other. General funds are available to complete two out of the three roads listed for bids. Mr. Yastremski asked if anyone had any other recommendations. Nothing else was discussed and Mr. Benderavich made a motion to approve Peachwood Drive and Creekside Drive. Mr. Boyd confirmed that Gaver Industries, Inc. could be separated out as the lowest bidder on the combination of those two roads since they would be the lowest. Some discussion took place on the reputation of Gaver Industries.

Mr. Yastremski noted the motion would be for Gaver Industries, Inc. out of Bethlehem, PA for Peachwood Drive at \$114,214.00 and Creekside Drive at \$96,519.50.

Motion to Approve: Paul Benderavich

Second: Kyle Costello

Roll Call:

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

Motion passed.

D) Foreclosure Registration Company & Ordinance –

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

Mr. Boyd asked for the foreclosure registration discussion to be tabled until a later date.

Motion to Table Foreclosure Registration Company: Paul Benderavich
Second: Marc Malvizzi
Roll Call:
Ayes were unanimous and motion passed.

H) Lafin Library Flooring Renovations –

Giant Floor Proposal \$5,017 Carpet Tile w/ Cove or \$5,637 Vinyl Plank w/Cove Base

After some discussions on whether or not the library association is agreeable to new flooring due to the logistics of moving items in the library to allow the installation, Mr. Yastremski asked for a motion to table.

Motion to Table: Paul Benderavich
Second: Marc Malvizzi
Roll Call:
Ayes carried and motion passed

New Business:

A) Tara D’Amico Rec Board Resignation –

Mr. Yastremski asked for a motion to approve the resignation of Tara D’Amico from the Lafin Borough Recreation Board.

Motion to Approve: Paul Benderavich
Second: Kyle Costello
Roll Call:
Ayes carried and motion passed

B) Sewer Mapping Project for Oakwood Park Townhouses & Hillside Townhouses –

Mr. Benderavich explained the situation at the townhouses with terra-cotta sewer pipes going into PVC sewer pipes. The townhouse terra-cotta pipes were installed in 1972 approximately. Since Mr. Benderavich started on council in 2008, they have had issues with inflow & infiltration (I&I), root intrusion, cracked bell housings, and many sections had to be dug-up and replaced. This would allow the engineer to look at what is needed and where everything is located. This would be the first step in the process to replace the lines. Further discussions continued.

Motion to Approve Sewer Mapping Project: Paul Benderavich
Second: Marc Malvizzi
Roll Call:
Kyle Costello Yes
Paul Benderavich Yes
Anthony D’Eliseo Absent
Marc Malvizzi Yes
Carl Yastremski Yes
Motion passed.

C) 2024 Minimum Municipal Obligations (MMOs) for Pension Plans –

Mr. Boyd noted the pension fund actuary didn't finish the pension calculations and this should be tabled until October's council meeting.

Motion to Table: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Ayes carried and motion passed

D) Appointment of Deputy Tax Collector under Act 48 of 2015 –

Mary Kay Boyd

Mr. Boyd explained that his current deputy tax collector (who was the Plains Township tax collector) is incapacitated with a stroke and the county auditors are asking him to appoint a new deputy tax collector. A deputy collector is not needed in smaller towns but if something should happen to Mr. Boyd, the deputy tax collector would have access to the paperwork and accounts to transition to the new appointed tax collector as selected by Laflin Borough Council. Some towns have active, paid deputy tax collectors but Laflin Borough only needs a nonpaid deputy to facilitate the transfer of duties to the new tax collector.

Luzerne County, Wilkes-Barre Area School District, Laflin Borough Council and the insurance bonding surety company must all approve the deputy tax collector. Many Luzerne Co. tax collectors use their spouses as deputies.

After some discussion, Mr. Benderavich made a motion to approve Mary Kay Boyd as Laflin Borough Deputy Tax Collector.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Kyle Costello Yes

Paul Benderavich Yes

Anthony D'Eliseo Absent

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

E) Solar Powered Radar Speed Signs –

Bradco Supply Co. 1 Unit \$4,243.25

After some discussions on the mounting and portability of the units and how many to purchase, Mr. Yastremski asked for a motion to approve one solar powered radar speed sign from Bradco Supply Co.

Motion to Approve: Paul Benderavich

Second: Kyle Costello

Roll Call:

Ayes carried and motion passed

- F) New Security Cameras for Ballfields & Walking Track Area –
 CVI Proposal for Four (4) Solar Powered Cameras \$11,789.00
 T-Mobile Cellular Service \$37 per month (\$32/month with discount)

Mr. Benderavich noted the damage at the park a month prior and indicated the security cameras would have helped track who was responsible. Mr. Costello responded to say that if the cameras prevent one thing, they could pay for themselves.

Mr. Benderavich made a motion to approve the CVI proposal for four (4) new cameras. Separately, after voting on the first proposal, Mr. Benderavich made a motion to approve T-Mobile cellular service for the new cameras.

Approve CVI Proposal on 4 Cameras
 Motion to Approve: Paul Benderavich
 Second: Kyle Costello

Roll Call:
 Kyle Costello Yes
 Paul Benderavich Yes
 Anthony D’Eliseo Absent
 Marc Malvizzi Yes
 Carl Yastremski Yes
 Motion passed.

Approve T-Mobile Cellular Service
 Motion to Approve: Paul Benderavich
 Second: Kyle Costello

Roll Call:
 Kyle Costello Yes
 Paul Benderavich Yes
 Anthony D’Eliseo Absent
 Marc Malvizzi Yes
 Carl Yastremski Yes
 Motion passed.

- G) Jerome Patelunas Property Listed for Luzerne Co. Upset Tax Sale –
 Thursday, September 21, 2023 at 10am Listed: \$2,703.83

After noting that Mr. Jerome Patelunas always prevents the tax sale from going through at the last minute, Mr. Yastremski asked for a motion for the borough solicitor to attend and bid on the property.

Solicitor Sanguedolce suggested an updated property title search be completed prior to the upcoming property tax sale to see if any liens are on the property. Mr. Benderavich would like Solicitor Sanguedolce to also file a lien on the property for the demolition of the structure by the borough that was previously on the property. Mr. Benderavich noted the late Bruce Phillips, former Assistant Solicitor for Laflin Borough, at the time, did not think the demolition lien was needed since the property had so many other issues and the lien costs would be a waste of money. Solicitor Sanguedolce will file the lien after Mr. Boyd emails the Stell Enterprise, Inc. invoice to him with the demolition costs and after the court case is researched.

Mr. Benderavich asked for a motion to approve up to \$25,000 to obtain the property at tax sale.

Motion to Approve: Paul Benderavich
 Second: Marc Malvizzi

Roll Call:
 Kyle Costello Yes
 Paul Benderavich Yes
 Anthony D’Eliseo Absent
 Marc Malvizzi Yes
 Carl Yastremski Yes Motion passed.

Public Comments:

Joe Spagnuolo, 89 E. Ashwood Drive – thanked councilmembers for looking into the stormwater problems on Ashwood Drive and acting so quickly on trying to solve the issues. Some discussions followed and Mr. Spagnuolo thanked council again for considering it and looking into it. Mr. Benderavich responded to say the project was higher in cost than expected but not dead yet.

Joe McCabe, 4 Pinewood Drive – wanted to discuss the 84 Cedarwood Drive property. He indicated that there is always big freight trucks parked at the property. His neighbors walk the neighborhood and takes pictures and he indicated that there are always 2 or 3 trucks parked at that location.

Also, he is not sure if it is an issue, but the 84 Cedarwood Drive property is not listed anywhere on three different Luzerne Co. property books (databases). This would include Luzerne County’s own website. He noted this for general awareness for elected officials.

He would like to discuss the high grass at 74 Pinewood Drive and stated that there is not a lot of activity at the property and the grass is over eight inches high.

He would like to know where all the security camera video files are housed for the town. He asked if there is a service contract with a repository company. Mr. Benderavich responded to say the information is stored at CVI the borough’s IT company. Mr. Boyd clarified that there are DVR storage drives for the camera footage at each location. Further discussions continued on the security cameras.

Mr. Boyd started to indicate that he checked with the county zoning office on the freight trucks (bobtails) parked at the property and the zoning office didn’t have any restrictions on the practice. Mr. McCabe interjected to say that his neighbor was stopped, many years ago, for having trucks at his property. Mr. Benderavich responded to say that issue was over running a business out of the house and not because of trucks parked at the location. Discussions continued.

The ownership and condition of the property at 74 Pinewood Drive was further discussed before ending public comments.

Executive Session: No Executive Session

Adjournment: Motion to adjourn at 6:47pm.

Motion: Kyle Costello

Second: Marc Malvizzi

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager
Lafin Borough

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