

Laflin Borough Council Mtg.
October 10, 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 – Marc Malvizzi – Mayor William Kennedy

Absent: Kyle Costello

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

Special Presentations: None

Minutes: September 12, 2023 Meeting - Tabled

Mr. Yastremski asked for a motion to table the meeting minutes that were not completed in time.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

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: 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.

\$125,425.30 plus payroll \$7,670.94

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D’Eliseo Abstained on CVI Invoice (due to employment)

Marc Malvizzi Yes

Carl Yastremski Yes

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 noted that the Inkerman Road paving work would start on Thursday (10/12/23) for road saw cutting and drainage work with paving completed shortly thereafter. Don Totino, Borough Engineer, will inspect the project since Mr. Boyd will be on vacation from Thursday until Sunday night.

Williams Gas agreed to repave all of E. Saylor Ave. and the Dogwood Drive hill section due to truck traffic from the recent gas pipeline project. The price escalation for Inkerman Road delay, due to the gas pipeline project, will be paid out of the remaining state grant funds. This will allow Williams Gas to pave more of the Dogwood Drive hill instead of paying for the escalation clause.

Inkerman Road insurance claim for damaged cameras was approved by the trucking company that caused the damage. Four (4) new units are on the agenda to be approved to replace those cameras.

The state Liquid Fluids audit was completed and copies presented to councilmembers and the mayor. No findings were noted in the report.

The pension valuations were completed by our actuary and presented to councilmembers and the mayor. The state pension aid was received for this year and will be forwarded to the pension funds along with the municipal minimum obligation.

Mayor's Report –

Mr. Kennedy briefly spoke on the Community Bank proposal that would give the borough more interest on some of the money that is sitting in the accounts and asked council to review and discuss at the next council meeting. Mr. Yastremski agreed and indicated it would be put on for next month.

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

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

Public Comments Relating to the Agenda:

No comments on agenda.

Unfinished Business:

- A) Rescind Approval on Creekside Paving Project from September –
Gaver Industries, d/b/a Barker & Barker Paving

Mr. Yastremski noted the award was given to Gaver Industries doing business as Barker and Barker Paving company. Due to some bad information from the engineering firm on the bid calculations, Mr. Yastremski asked for a motion to rescind the award to Gaver Industries.

Motion to Rescind: 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) Creekside Paving Project Bid Results from September –

CORRECTED AMOUNTS:	Haverford	Peachwood	Creekside
H&K Group, Inc.	\$104,604.13	\$122,638.60	\$ 94,416.32
Gaver Industries Inc.	\$114,777.00	\$146,083.00	\$ 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	\$ 89,984.00
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 indicated that the H&K Group was the low bidder on Peachwood Drive and Creekside Drive for paving work. Mr. Yastremski asked for a motion to accept the bid from H&K Group, Inc. for paving Peachwood Drive at \$122,638.60 and Creekside Drive at \$94,416.32.

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) Pension Minimum Municipal Obligations (MMOs) for 2024 –

Police Pension Fund \$0

Non-Uniform Pension Fund \$11,230

Mr. Yastremski asked for a motion to approve the minimum municipal obligations for 2024.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

D) Acquire 934 Union Street Property at Luzerne Co. Upset Tax Sale –
Resolution #7 of 2023 – J. Patelunas (old schoolhouse property)

Solicitor Sanguedolce summarized the resolution and noted that this resolution ratifies the actions that he took, on the approval of Laflin Borough Council, at the September Upset Tax Sale where he purchased the property at the tax sale for \$7,996.95. In order to process the deed, they need a resolution confirming he was giving authority to purchase the property.

Mr. Yastremski asked for a motion.

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.

E) Authorize Yatesville Borough Sewer Flow Meter Installation Extension Request –
March 1, 2024 to June 30, 2024

Mr. Yastremski reviewed the original request from Yatesville Borough and asked for motion to approve the extension request for Yatesville Borough to install sewer flow meters in the Laflin Borough lines from March 1, 2024 to June 30, 2024.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

F) New Inkerman Road Security Cameras Damaged by Semi-Truck –
CVI Proposal \$3,397.60 Vitesse Trucking Service Reimbursement

Mr. Yastremski asked for a motion to approve the proposal to replace the damaged cameras on Inkerman Road that will be paid by Vitesse Trucking Service.

Motion to Approve: Paul Benderavich

Second: Marc Malvizzi

Roll Call:

Kyle Costello Absent

Paul Benderavich Yes

Anthony D'Eliseo Abstained

Marc Malvizzi Yes

Carl Yastremski Yes

Motion passed.

G) Vincent Zerblas Police Pension Benefit Request –

Solicitor Sanguedolce noted an executive session would not be necessary. Mr. Sanguedolce noted that Vince Zerblas applied for his pension benefits and the pension administrator used the state statute that requires 25 years of accumulative service. However, the borough ordinance requires 12 years of service and the age of 55yrs. old. He is pension eligible October 1, 2023. Two months will be owed to Mr. Zerblas by the time the pension payments are processed.

Mr. Yastremski asked for a motion to approve the pension request.

Motion to Approve Request: 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.

H) C. Casacci 10 Walnutwood Drive Borough Property Tree Issues –

Mr. Boyd explained that he received a request from the homeowner at 10 Walnutwood Drive to cutdown trees on the borough property that is behind his property. This is the property purchased by the borough that consists of many acres. Mr. Casacci believes the birch trees are problematic and could cause damage to his property should they fall.

After some discussions, and a request from a resident (Frank Desiderio) in the audience to allow him to quote the tree cutting, Mr. Yastremski asked if everyone is in agreement that, if the trees are causing a hazard, they would be removed up to a cost of \$1,000.

Motion to Approve: Anthony D’Eliseo

Second: Paul Benderavich

Roll Call:

Ayes were unanimous and motion carried.

I) Inkerman Road Flood Abatement Detention Ditch –

After the recent rainfall from the past weekend, Mr. Yastremski noted that the water reached the shoulder of the road. It was a significant rainfall but not anything out of the normal. Mr. Benderavich believes the pressure needs to be removed from the water on the side of the road after heavy rainfalls. He would like to see a deeper trench down the pole barn road side and the removal of a high spot in the basin area. This would allow the area to drain better. Mr. Boyd suggested getting the borough engineer Don Totino to look at it but Mr. Benderavich doesn’t think he needs to do so since all that needs to be done is getting in there and taking a couple of swipes out. Further discussions continued on using Don E. Bower, Inc. to address the situation while in town doing other work and the need to take care of the situation with the pending road paving work on

Inkerman Road. Mr. Benderavich doesn't think it would be more than three grand to do the work and take the bump out. Mayor Kennedy believes this would protect the investment.

Mr. Yastremski asked for a motion to authorize the borough manager to contract with Don E. Bower, Inc. for the additional work up to \$3,000 to alleviate the water situation.

Motion to Approve: Paul Benderavich

Second: Anthony D'Eliseo

Roll Call:

Ayes were unanimous and motion passed.

J) Park Pavilion & Lower Laflin Welcome Sign –

George Ely Associates, Inc.	Cedar Forest - Steel	\$29,500	Costars pricing plus installation
General Recreation, Inc.	Polygon - Steel	\$35,315	Costars pricing plus installation
Pine Creek Structures	Vinyl Clad/Metal Roof	\$24,491	Non-Costars but installed
Jerry Chilewski Enterprises	Installation Labor	\$10,700 or \$19,700 w/footers	
Willow Playworks, Inc.	Installation Labor	\$46,550	

After discussing the two different types of structures, Mr. Yastremski asked for a motion to approve the steel structure based on Mr. Benderavich's recommendation from George Ely Associates, Inc. at a cost up to \$30,000.

Mr. Yastremski asked for a motion to approve the installation labor for Jerry Chilewski Enterprises up to \$19,700 dependent on engineering determining if separate footings will be required.

George Ely Associates (Pavilion)

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.

Jerry Chilewski (Pavilion Labor Installation)

Motion to Approve: P. 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.

After some discussions on the quote and sign designs, Mr. Yastremski asked for a motion to approve the v4 sign for materials and installation labor from Fast Signs, Inc. at \$2,979.58.

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.

New Business:

- A) Commercial Grade Dehumidifier & Hygrometer for Borough Bldg. Basement –
Alor Air Storm LGR Extreme \$799.00 and HOBO Hygrometer \$175.00

Mr. Boyd explained the humidity problem in the basement area and the need to replace the current standard grade dehumidifier with a better unit. The current dehumidifier keeps going off with an error code that is displayed and needs to be reset constantly. After noting that document storage is utilized in the borough building basement area, Mr. Yastremski asked for a motion to approve the dehumidifier at \$799 and hygrometer at \$175.

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.

- B) Basketball Court Crack Sealing & Crack Painting Work –
The Breneman Company \$3,100

Mr. Boyd noted the company did work for the borough a few years after the basketball court was completed. The court needs to have cracks filled again and certain areas repainted.

After some discussions, Mr. Yastremski asked for a motion to approve the proposal for \$3,100 to fill cracks and paint the lane areas that have pitting marks.

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.

- C) 1st Reading of the 2024 Laflin Borough Operating Budget –

Mr. Yastremski reviewed the process of preparing for the first reading of the proposed budget that includes examining the actual data to date. This is a very preliminary budget due to the fact the actual data for revenues and expenditures will change for the next two months as he and Mr. Boyd can get a better idea on where things will fall.

Mr. Yastremski read the proposed first draft, noting a total revenue of \$1,179,379. that includes the grants awarded to the borough from various sources. This number also includes a tax anticipation note (TAN) of \$125,000.00.

The expenditures came in at \$1,236,559 creating a deficit of \$57,181. Mr. Yastremski noted that over the next few months this deficit will come down as expenditures are reviewed and more revenues come in over the next three months especially in earned income proceeds.

Mr. Yastremski asked if anyone had questions on the proposed budget. No questions were asked. Mayor Kennedy thanked Mr. Yastremski and Mr. Boyd for all the hard work they did on preparing the budget thus far.

Mr. Yastremski asked for a motion to approve the first reading of the proposed operating budget.

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.

Public Comments:

Joseph McCabe, 4 Pinewood Drive – asked councilmembers or Mr. Boyd if they knew any information about the white SUV that was parked in front of his house on Wednesday (10/4) on Pinewood Drive. He wanted to know if there was any rumors or speculation about the vehicle. Mr. Boyd responded to say that no one has contacted him about the vehicle. Mr. McCabe also asked about the administrator for the Nextdoor social media app since he believes there is a lot of censoring going on in that app. Mr. Boyd and Mr. Benderavich responded and indicated Laflin Borough is not officially involved with the app site and no information was available as to who administers Nextdoor Laflin.

He asked council to address the walking track asphalt, ballfield grass sod and infield DiamondTex dirt to make it right for the kids of Laflin & Plains. Mr. Boyd explained that the Department of Environmental Protection (DEP) stopped Williams Gas Company from completed the ballfield in its entirety until a new DEP permit was obtained. Once approved, Williams Gas Co. will complete work on the fields.

Some discussions followed on the condition of the walking track around the ballfields; the problems with the embankment between the creek and walking track; tree roots causing problems with the track; and if the park is officially open to the public or not.

Mr. McCabe also spoke on property damage by an erratic driver, who is a resident of the borough, that had a health episode at 40 Redwood Drive. The resident was followed home from Danko Fitness by an employee that was concerned on his health and witnessed the resident take out a mailbox on Redwood Drive driving erratically. Mr. McCabe noting this individual is already on the borough radar but he is concerned.

Frank Desiderio, 1 Pinewood Drive – asked if anyone has complained about door-to-door solicitors going around representing a fraudulent company. Mr. Boyd responded to say he only received a call from Mr. Desiderio. Mr. Desiderio went on to explain in more detail what happened in the situation. Mr. Boyd explained he viewed the video at the borough building, Rt.315 intersection and lower Laflin cameras for a 30-minute time period but couldn't find the white Mercedes SUV vehicle pass the cameras.

Further discussions continued on the matter. Mr. Desiderio believes the solicitors were gang members based on the tattoos seen on the one person. Further discussions continued.

Michael Grebeck, 14 Fairfield Drive – asked who monitors the security cameras in town since the borough doesn't have a police force and how much did they cost. He asked how many cameras were in town. Discussions continue on many various topics

Walter Wrazien, 38 Redwood Drive – ask if residents have the right to come to the borough building and view the videos. He believes the residents own the cameras and should have access to them as needed. Solicitor Sanguedolce, Esq. explained the camera policy that is being worked on for future passage. Basically, a police report would need to be filed with the state police and the troopers would view the video of the incident, if available. Much discussion continued.

Mr. Wrazien indicated that there is 'targeting' going on where properties are being bought and nobody moves into the home. The properties are bought through special government programs. So how does the borough protect itself from intercity programs coming to Laflin? He continued to explain the situation. He believes council can do something that can be put forth (pass an ordinance) that can be acted on if a property is purchased and not lived in with two months. Much discussion continued.

Vincent Zerblas, Non-resident, Jenkins Township DPW – explained a situation that happened in Jenkins Township where properties are being bought and used as an Airbnb (short term rental). Much discussion continued.

Executive Session: None

Adjournment: Motion to adjourn at 6:58pm.

Motion: Anthony D'Eliseo

Second: Paul Benderavich

The motion carried unanimously.

Respectfully Submitted,



Charles Boyd, Borough Manager
Laflin Borough

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