

The regular meeting of the Council of the Borough of Minersville was held at 7:00 p.m., August 10, 2010 in the Council Chambers, North Delaware Avenue and East Carbon Street. Mr. William Angelo presided and opened the meeting with the Flag ceremony at 7:04 p.m.

**ATTENDANCE:**

The following Council members attended: Mr. William Angelo, President; Mr. Keith Adams, Vice-President; Mr. Albert Bobinas; Mrs. Helen Droskinis; Mr. James Kimmel; Mr. Paul Vuksta; Mayor Joseph Post; Solicitor Albert Evans; and Megan Paul, Secretary. Also attending were Police Chief Michael Combs; Jeffery Enders, Street Supervisor and Jeremy Kralick, Street Laborer. Mr. Jamie Kuehn was absent.

Six Council members were present, which constituted a quorum.

Mr. Kimmel made a motion to approve July's Council meeting minutes; seconded by Mr. Adams. Motion passed as presented.

**VISITORS:**

Ms. Joan Laudeman, 231 Carbon Street, wanted to know how the workers that went to Mr. Angelo's place of employment to paint lines knew where to go. Mr. Angelo stated he gave some of them their CDL test.

Ms. Laudeman stated there are some pit bulls in town that almost come through the fence to attack her dog when she is for a walk. Chief Combs stated if she would provide the address they can try to address the issue. Solicitor Evans stated he would look into a possible dangerous animal ordinance. Mrs. Droskinis recommended the police force be educated on what to do if there is a dog attack in town. Chief Combs stated he has posted the procedure and will make sure all officers are aware of it.

Mrs. Dora Santarelli, 300 N Third Street, stated she did get a copy of the Borough employee handbook and reviewed it. There was no mention of ethics in the handbook. She contacted Representative Goodman's office and was given the section on public employee ethics. She feels this section Title 65 Section 11 – Public Official Ethics should be included in the employee handbook and the workers and officials should receive training on ethics.

Mr. John Marnickas, 111 Sunbury Street, questioned whether the Solicitor looked into if a permit was gotten to lay horse manure at the water shed. Solicitor Evans stated he was not aware that he was to obtain this information but will get it by the next meeting.

Mary Polinsky, 27 E Carbon Street, stated she feels if the borough employees can do all this extra work for individuals then the Borough has too many employees. Mrs. Polinsky wanted to know what all the accusations were and are they true. Solicitor Evans stated Council did form a committee to investigate the accusations. Mrs. Droskinis stated the committee consisted of herself, Mr. Vuksta and Mr. Kuehn. The committee did interview the employees and came up with a list of recommendations for the Municipal Authority. Mrs. Polinsky questioned what the findings and recommendation were. Solicitor Evans stated the investigations were not discoverable but they did recommend two suspensions and resignations. Mr. Bobinas stated the committee was not comprised of investigators and feels Council should contact the District Attorney to investigate the matters. Mrs. Droskinis stated the Auditor General has received letters and they are aware of the situation. Mrs. Polinsky stated the people put the Council in and can take the Council out of office if they don't do their jobs.

Mrs. Kim Conville, 605 Front Street, stated she would like the blighted property next to her addressed. Solicitor Evans stated Mr. Bainbridge should get involved to possibly condemn the

property for the Borough to take action over. Solicitor Evans stated for the Borough to take over they would have to claim conservatorship.

Deborah Kohl, 18 N Second Street, wanted to know who is now watching the books since Council got rid of the auditor and treasurer. Mr. Adams stated the auditing firm was change to Abbott, Davidson and Weiss and the treasurer was combined with the secretary position.

Mr. Thomas Sorokach, 424 North Street, questioned whether Council was going to stop the truck plaza at the Highridge Industrial Park. Mr. Angelo stated we have always had a response if the plaza would affect the watershed area.

Ms. Laudeman questioned what to do if people are not cutting their grass and have high weeds. Mrs. Droskinis stated to contact the Borough office to inform the health officer.

Mr. Robert Mahalchick, S Fourth Street, questioned when the men were at Mr. Angelo's place of employment who would have been liable if one of the employees were hurt. Mr. Adams stated the Borough would cover the employee. Mr. Mahalchick feels the matter should not be handled internally because you are dealing with taxpayer dollars. He feels the matter should be made public and there should be an external investigation. He feels the right thing to do should be to have a third party do the investigation. Mr. Mahalchick questioned how the amount reimbursed for the line painting was calculated. Mr. Angelo stated he had the treasurer to calculate the hourly rates, truck mileage and paint. Mr. Mahalchick questioned who gave the authority to have them men go to Mr. Angelo's place of employment. Mr. Angelo stated the Borough manager at the time.

Mrs. Polinsky feels too many people are related in the Borough. The residents are suffering because of it.

Mrs. Kohl questioned if the Borough audits itself. Mr. Adams stated the Council reviews and approves the bills for payment each month. Mr. Mahalchick questioned the qualifications of the treasurer. Ms. Paul stated she has Bachelors in Accounting. Mr. Mahalchick feels the Council should have made the public aware of the investigation and the results.

Mrs. Polinsky questioned why the police officers did not receive the bonuses. Mr. Adams stated the departments that received the bonuses were the ones that helped to complete the Church Street project. Mr. Angelo stated if a contractor would have done the whole project it would have cost the Borough more money. By doing the work in house, the Borough was able to save money. Mrs. Polinsky feels the money should have been put to a different use. Mr. Adams stated the intent of the bonus was to do a wage adjustment for the employees doing a job above their normal job description. Mr. Adams stated the money for the bonuses came from equipment reimbursement from the Church Street Project. This money was not anticipated revenue for the Borough. The funds are now available for special projects like, a police car, tearing down the Wynn Ann, or possible equipment purchases. The Borough as reached out to Michael Carpenter of the DCED to verify the project was done according to their standards.

Mr. Albert Barnes, 117 North Street, wanted to commend the Council for holding an investigation but questioned why the individual that was suspended was not relieved of his job until the investigation was completed. Solicitor Evans stated the Council is restricted in what can be released publicly. Solicitor Evans stated there were public motions made at the Municipal Authority meeting which are public record.

Mrs. Polinsky questioned whether there were any other illegal activities going on and is there proof of the illegal activity. Solicitor Evans stated the information on the investigation cannot be release because it is a personnel issue.

Mr. Mahalchick feels the information should be disclosed. Mr. Mahalchick questioned how many Council members were accused. Mr. Adams stated only one was accused.

Mrs. Polinsky questioned whether the manager can collect a pension if he resigns. Solicitor Evans stated the pension is not affected by a resignation. Mr. Mahalchick feels the truth should come out.

Mrs. Droskinis stated the committee took a great deal of time to interview the employees. The committee included the water and sewer board members at the interviews so all members would be aware of the situation. She stated it was very hard to question the employees and one employee denied everything asked even though the committee had proof of the actions. Mr. Barnes questioned why the employee is still working if there is proof of wrong doing. Mrs. Droskinis stated that was a good question. Mrs. Polinsky questioned whether that employee received a bonus. Council stated yes he did.

Mrs. Droskinis stated the auditor general will get involved and refer any information to the attorney general. There is not much Council can do but wait when it gets to that point.

Mr. Ernest Hummel, 101 Snyder Street, stated the Borough has a loose hold on its finances. He was forced to file suit to get a simple answer and the case was dismissed. He stated the Council and Borough has no idea where the money went in his simple case. Mrs. Santarelli questioned if the Borough audits are available to the public. Mr. Adams stated they are available at the Borough office. Mr. Hummel stated the audit will not tell you why the lines have not been painted at the New Minersville Basketball Courts or why the Borough ignored a complaint he filed in the 90s about a three leg garbage can, that is still there, and where the money went from the settlement of 103 Snyder Street HOME Program. Solicitor Evans stated the Borough as tried to work things out with Mr. Hummel but there is another party involved. Solicitor Evans stated Mr. Hummel has a right to appeal the lawsuit that was dismissed. Solicitor Evans and Mrs. Droskinis stated they would look into his situation again.

Mr. Sorokach questioned the Church Street Project. Mr. Adams stated a grant was received to do the project. The estimated cost for the project if totally bid out would exceed the grant. By doing a portion of the work in house the borough completed the project and had approximately \$40,000 left in the grant which is being recaptured by the state. The Borough was able to charge equipment reimbursements to the grant for use of Borough equipment on the project. The Borough used a federal rate schedule for reimbursment. The money received was then placed in a General Reserve Fund for future Borough use. Mr. Adams stated there was a lot of discussion on the bonus situation prior to giving them out.

Mrs. Monica Raczka, 622 Baker Street and Jean Wartella S Delaware Avenue, questioned whether the Borough owns the lot at the split of Westwood and S Delaware Avenue. Ms. Wortella stated one of the local residents that has EMH Contracting uses it for his own parking area. If any other resident parks there they will be parked in or the cars egged. Mr. Enders and Chief Combs stated they have looked at the area and have suggestions for Council.

Mr. Bobinas made a motion to contact the District Attorney, the State Attorney General, and the FBI to do a third party investigation in the Borough; seconded by Mrs. Droskinis. Motion passed as presented.

COMMITTEES:

***Streets, Highways & Electric Lights:***

Mr. Kimmel wanted to thank the people for coming and stated this is a great working Council. The Council encourages the residents to come and give their opinions.

Mr. Kimmel stated Buckley Street will be paved on Tuesday. Mr. Enders stated the demolition will be done in house by Borough crews and Tropp Contracting will pave.

Mr. Enders stated he would like to look at the truck traffic on North Street. The traffic is starting to damage the street. He questioned whether we can impose an ordinance on the Borough streets restricting traffic.

***Fire:***

All council members received a copy of the fire report submitted for July by Fire Chief Eric Eichenberg.

Mr. Mahalchick wanted to commend the fire departments for a job well done with all the recent fires.

***Law & Order:***

The second reading of an ordinance amending Ordinance 158 was held. Mr. Adams made a motion to approve the ordinance as read; seconded by Mr. Vuksta. Motion passed as presented.

***Community Development & Public Property:***

Mr. Bobinas stated he would like to meet with a group of landlords to get their ideas on how to take care of the problems with absentee landlords.

Mr. Adams made a motion to approve paying Northeast Industrial \$30,000, this is a partial payment, for demolishing 100 Sunbury Street; seconded by Mrs. Droskinis. Motion passed as presented. Chief Combs stated the only structure remaining is 106 Sunbury Street and the contractor is not Northeast so they will be removing their equipment.

***Finance & Sanitation:***

Mr. Adams made a motion to approve the bills properly signed and pay the bills as presented; seconded by Mrs. Droskinis. Motion passed as presented.

Mr. Adams made a motion to approve the reports of all officers as presented; seconded by Mrs. Droskinis. Motion passed as presented.

Solicitor Evans stated he will review the Direct Energy extension.

***Water & Sewer:***

Mr. Bobinas stated he feels the Sewer Authority has lacked enforcement of the Storm water Separation Ordinance. The rates for individuals not in compliance should have been increased. Council stated the Sewer Authority should be told to enforce the Borough ordinance and begin increasing the sewer units on the bills of those not in compliance.

Mrs. Droskinis made a motion of no confidence in the Minersville Municipal Authority Board; seconded by Mr. Vuksta. Mr. Angelo questioned what this motion would mean. Solicitor Evans stated it tells the Municipal Authority basically the Council does not have confidence in how it is overseeing its employees. Mrs. Bonnie Mason stated she saw a water company employee in shorts and flip-flops on the job. Mr. Kimmel feels the vote of no confidence is rather strong. He feels the board has worked with the council on the recommendations. The board was not aware of the problems and he feels the Council should give them a chance to correct the problems before a vote of no confidence is taken. Mr. Angelo agrees with Mr. Kimmel. A roll call vote was held:

Mr. Kimmel – no, Mr. Bobinas – no, Mr. Vuksta – yes, Mr. Angelo – no, Mr. Adams – yes, Mrs. Droskinis – yes, Mayor Post – yes. With a vote of 4 to 3, the motion passed as presented.

**Personnel:**

Mrs. Droskinis made a motion to allow the summer employees to work an additional two weeks; seconded by Mr. Adams. Motion passed as presented.

**Senior Citizens & Recreation:** Nothing to report.

**COMMUNICATIONS:**

A letter was read from the Minersville Business and Professional Association requesting to close North Street from Second to Veterans; N Third from Carbon to Lewis and N Fourth from Carbon to Lewis Streets. Mrs. Droskinis made a motion to approve the request; seconded by Mr. Adams. Motion passed as presented.

A letter was read from St. Patrick Church request to erect a sign to advertise for their Annual End of Summer Picnic. Mr. Vuksta made a motion to approve their request; seconded by Mr. Bobinas. Motion passed as presented.

A letter was read from the New Minersville Hose Co. requesting to hold a bike run to benefit Espn Murphy. Mrs. Droskinis made the motion to approve the request; seconded by Mr. Adams. Motion passed as presented.

**UNFINISHED BUSINESS:**

Mr. Adams stated the Finance Committee is discussing different ways to pay for the police car.

1. Take a loan from Miners Bank at 3.99%
2. Purchase the vehicle outright and then pay a monthly fee for three to four years to build a reserve for a new car
3. Take a loan from Miners Bank at 3.99% and then also put money away monthly

Mr. Adams stated the Borough has purchased the vehicle from the Miners Fire Rescue. The title transfer will happen within the next couple of days. This vehicle will allow the Borough to stop and inspect trucks.

**OLD BUSINESS:**

Mr. Bobinas would like to see the Borough ordinance in an electronic format and possibly placed online.

**NEW BUSINESS:**

Mayor Post stated he will be in jail for MD and needs to collect \$3,000 to get out.

Ms. Deborah Kohl stated she would like the police to look into the tractor trailers stopping to unload on North Street. She feels this is a safety hazard to people turning from Front Street that do not know the truck is there.

Mr. Mahalchick wanted to commend the police department for all the work they have done to try to catch the arsonists.

An executive session was held from 8:48 p.m. to 11:00 p.m. for a personnel issue. With no further business to discuss, Mrs. Droskinis made a motion to adjourn at 11:05 p.m.; seconded by Mr. Adams. Motion passed as presented.

Respectfully Submitted,

Megan Paul  
Borough Secretary