

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** January 21, 1999 **TIME:** 7:20 PM

Meeting postponed from 1/14/99 due to weather. Late start waiting for quorum.

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, R. Krick, C. Marquardt, J. Tinari.

J. Kilker, Solicitor

Members absent: J. Haluska (work), J. Yackera. Mayor J. Kelly (medical)

PUBLIC COMMENT

Floor opened to public comment. None at this time.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by M.B. Dougherty, seconded by J. Tinari. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by R. Krick, seconded by M.B. Dougherty. Vote. All. Motion carried.

Mayor's report: Read by C. Marquardt due to Mayor's absence. Motion to accept as read made by J. Tinari, seconded by R. Krick. Vote. All. Motion carried.

C. Marquardt noted that the flywheel on the Plymouth police car needs to be repaired. Cost estimates are approximately \$200.00. Motion to repair the Plymouth made by J. Tinari, seconded R. Krick. Question? None. Vote. All.

R. Krick said he had a question for the police department and he wished the Mayor was here to answer. It was brought to his attention that the Girardville Police Dept. stopped a

2
Tri-State truck and told them they could not travel Main Street. The solicitor should check into this matter as I am not sure the borough has the right to regulate traffic on a state road. Mr. Kilker said he would write a memo on this matter.

Permit Officer's report: Motion to accept as submitted made by J. Tinari, seconded by M.B. Dougherty. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Tinari, seconded by R. Krick. Vote. All. Motion carried.

UNFINISHED BUSINESS

Underground Storage Tank Insurance Fund - The matter of the school building oil tank is tabled until estimates for fitness testing can be obtained.

PLIGIT - Motion to deposit \$20,000.00 in a PLIGIT account made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. M.B. Dougherty noted for the public that this is a Capitol Projects Fund with money earmarked for long range planning. Possibly paving streets after the installation of the new sewer line.

Building permits - After much discussion of the proposed changes concerning building permits it was decided that the solicitor would prepare a rough draft for next work session.

Ordinance 99-1 ordaining the Girard Hose Co., and the Rangers Hose Co. as the firefighting entities of the borough. Motion to adopt ordinance 99-1 made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Solicitor J. Kilker noted that he prepared packets with all the information concerning J. Yagielinski for distribution to Council. The submitted proposal calls for allowing 3 dogs, in 2 months 3 additional dogs, in another 2 months 3 more dogs up to 10 dogs the count not to include puppies. This matter is part of a legal action and Council can approve the plan or wait for a Court decision. M.B. Dougherty said that at the work session the general consensus was to take a vote. Motion to send a letter rejecting the plan as proposed made by M.B. Dougherty, seconded R. Krick. Question? J. Kilker asked if everyone had chance to look at the paperwork? All present said they had seen the letters. Vote. All. Motion carried. Mr. Kilker will send the letter to Mr. Kent Watkins.

Police Pension Fund - Audit question on changing the Act or adding a disability clause to the pension ordinance. Received a letter from the Auditor's office granting an extension of the compliance date. Mr. Kilker said that he requested information concerning both Acts and asked to be able to have something prepared for the next meeting. Motion for Mr. Kilker to prepare recommendations concerning the audit

3

requirements for the police pension fund for the February meeting made by J. Tinari, seconded R. Krick. Question? None. Vote All.

Reading & Blue Mountain Railroad lease - On the question of paying the lease for the memorial on Main Street. The railroad is pressing for payment. Meanwhile, a meeting was set up for the Officers of the Legion to attend. R. Krick noted that plans should be made if we do not pay the lease the railroad may force us to vacate.

NEW BUSINESS

Ideal Landfill - contact with offer to pay a per truck fee to the borough in return for support of the proposed C&D landfill. R. Krick said his motion would be to say not interested but this matter should be tabled until a full Council is available. Matter

R. Krick asked that Council make the approved donation to FORCE. Motion to pay the approved \$1000.00 to FORCE made by R. Krick, seconded M.B. Dougherty. Question? M.B. Dougherty asked that FORCE be requested to hold a public meeting concerning their financial status. R. Krick said that financial statements are available and he will get one. Vote. All. Motion carried. M.B. Dougherty asked that it be noted that when the Borough was fighting Keystone, there was no financial help offered.

Due to Y2K considerations it was suggested that the Borough consider updating the current computer system. Cost estimate for this from MICS, Inc. is \$500.00 - 600.00. R. Krick noted there is a possibility that the sewer authority would share this cost. Motion to pay to upgrade the borough computer system made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

PADOT Agility agreement - Motion to adopt resolution 99-1 allowing participation in the Agility Program made by J. Tinari, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. V. Ambrose will finish the draft and it will be submitted to PADOT.

As previously approved the Girardville Borough Police Department will participate in the Northern Schuylkill County Area Sobriety Checkpoint and Expanded DUI Program. This program is being run out of the Ashland police offices. Paperwork listing participating officers and their wages needs to be filed. Motion to pay the officers their regular time wages for participation made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Resolution 99-2 Y2K - requested by Governor's office that all local municipalities pass this resolution setting parameters to lessen possible adverse impact from the expected Y2K problem. Motion to adopt resolution 99-2 made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

BILLS

Motion to allow transfer of funds from the General Fund to the School Fund to pay bills made by J. Tinari, seconded R. Krick. Question? None. Vote. All. Motion carried.

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Tinari, seconded R. Krick. Question? None. Vote. All. Motion carried.

At this time (8:15) J. Tinari had to leave due to an emergency. There is no longer a quorum.

C. Marquardt continued the meeting with the understanding that no business could be conducted.

CORRESPONDENCE

Reading & Northern Railroad - notice about memorial lease rent due.

Entech - Copies of letters of notification for bridge dedication.

VISION - notice of activities

PP&L - notice of upgrades on communication towers

NSLA - request for names of representative and alternate. (Done)

Summer Lunch - notice of training dates.

OTHER BUSINESS

C. Marquardt noted that the Ogden Street Bridge is completed and open. The dedication is scheduled for, Friday, January 18, 1999, at 11:00 AM.

R. Krick said that Little League is interested in using a room in the school building to house a computer for their records. Nothing is definite yet.

Mahanoy Creek Watershed Association is also interested in using a room for storage of testing equipment. Will come to Council with a proposal.

The Street Committee is looking into costs on a skid loader for putting salt into the dump truck. Getting prices from M. Kitsock.

Note there is no curbside recycling set for January, February and March.

PUBLIC COMMENT

No public comment.

Motion to adjourn made by R. Krick, seconded M.B. Dougherty. Meeting adjourned.

Respectfully submitted
Mary Ambrose
Secretary

6

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** February 11, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, R. Krick, C. Marquardt, J. Haluska, J. Tinari,
J. Yackera. Mayor J. Kelly, Solicitor J. Kilker

NOTE: Lt. Biliar from the Pennsylvania State Police, Frackville Barracks asked to address the meeting. As part of a public out reach program local barracks commanders are visiting local communities. This is to put a face on the person in charge of your local barracks.

PUBLIC COMMENT

No comments from the floor at this time.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Mayor's report: Read by Officer T. Buriak. Motion to accept as read made by J. Yackera, seconded by J. Tinari. Vote. All. Motion carried.

Permit Officer's report: Motion to accept as submitted made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

7

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by M.B. Dougherty, seconded by J. Yackera. Question? None. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

UNFINISHED BUSINESS

R. Krick is checking on costs to have to School building tanks tested.

Police Pension Fund: Motion to have the Solicitor advertise the proposed ordinance changing the fund from Act 600 to Act 120. Motion made by J. Haluska, seconded by J. Yackera. Question? None. Vote. All. Motion carried.

Building Permit Amendment: Motion to adopt the ordinance after omitting the word repairs in section one made by J. Yackera, seconded by J. Haluska. Question? None. Vote.

J. Yackera	YES	M.B. Dougherty	NO
C. Marquardt	YES	R. Krick	NO
J. Haluska	YES	T. Tinari	YES

Motion carried.

J. Kilker asked R. Krick why he voted NO? R. Krick replied that he feels it is a nuisance tax and that he voted against the original ordinance requiring permits.

NEW BUSINESS

Request from Little League/ Teener League to use the Borough Hall for registration, March 8, 9, 10, 1999, from 7:00-9:00 PM. Motion to allow this use made by M.B. Dougherty, seconded by J. Haluska

Summer Lunch Program - Motion to cut check for \$359.89, that amount left over in the checking from 1998 program and return to the PA Dept. of Education. Motion made by J. Tinari, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Participation in this year's program will depend upon finding someone suitable to run the program. This matter is tabled until next meeting. Motion to fill out application to participate if suitable candidate is found made by J. Yackera, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

1998 Audit report complete. Motion to accept and submit to the State Agency made by J. Haluska, seconded by J. Yackera. Question? None. Vote. All. Motion carried.

Motion to participate in the Leaf-Vac application and the recycling calendar program made by J. Tinari, second by J. Yackera. Question? None. Vote. All. Motion carried.

J. Tinari asked for permission to use the Borough Hall for a CPR class. Motion to allow usage made by M.B. Dougherty, second by J. Haluska. Question? None. Vote. All. Motion carried.

Handicapped parking space annual renewals given to Street committee. Recommendations will be made at the March meeting.

Handicapped Parking space request submitted for 108 W. Ogden Street. Motion to deny request made by J. Tinari, second by J. Yackera. Question? None. Vote. All. Note: check to be returned with letter.

V. Ambrose asked Council to consider sharing the cost of attendance of welding classes at the Vo-tech. Cost of the class is \$225.00. Motion to share the cost of attendance made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried.

M. Ambrose request for permission to attend Municipal Secretary Workshop at a cost of \$60.00. Motion to allow attendance made by J. Yackera, second by J. Tinari. Question? None. Vote. All. Motion carried.

Request for permission to attend seminar on supervising personnel for V. Ambrose at a cost of \$5.00. Motion to allow made by J. Yackera, second by J. Tinari. Question? None. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay bills as submitted made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

CORRESPONDENCE

Teamsters Union - request for information

Senator Rhoades office - information about Capital Projects financing

Entech Engineering - punch list for Ogden Street Bridge Project

Notice from County Commissioners of meetings: Zoning hearings and CDBG applications

Request from FORCE for use of the Building on, February 22, 1999, for a public meeting. Permission granted.

Main Street Memorial - meeting with the American Legion, February 21, 1999, at 6:00 PM to discuss possibilities for relocation.

COMMITTEE REPORTS

School: R. Krick reported that the gym is booked.

Recreation: None.

Streets: Met with Mr. Mitchell, filed preliminary paperwork for the Agility program. Quotes on costs for possible repairs on the Richard Street Bridge. Motion to purchase the lumber necessary made by J. Yackera, second J. Haluska. Question? None. Vote. All. Motion carried.

A safety committee was recommended by American Safety consultants. Motion to set up this committee made by J. Yackera, second J. Tinari. Question? None. Vote. All. Motion carried. C. Marquardt asked R. Krick if he was willing to sit on the committee and R. Krick agreed.

R. Flannery asked if there were any ordinances concerning footage for streets. M.B. Dougherty made a motion to have the solicitor investigate this question with the possibility of creating an ordinance, second by J. Haluska. Question? None. Vote. All. Motion carried.

OTHER BUSINESS

For consideration and for publication an Ordinance allowing participation in the PLIGIT program. Motion to advertise made by R. Krick, second M.B. Dougherty. Question? None. Vote. All. Motion carried.

Motion to refuse proposal from IDEAL for a per truck fee made by R. Krick, second M.B. Dougherty. Question? J. Kilker asked if the Council could accept the proposal even if opposing the landfill? R. Krick said that the agreement stipulates acceptance means you will assist in getting approval. Vote.

J. Yackera	YES	M.B. Dougherty	YES
C. Marquardt	YES	R. Krick	YES
J. Haluska	YES	J. Tinari	Abstain (work related conflict of interest)

10

PUBLIC COMMENT

J. Clayton asked why there is no longer a police officer available to direct traffic for a large funeral. Mr. Kelly explained that the service is provided if the funeral director requests.

Council went into Executive session to discuss personnel matter. Meeting resumed.

C. Marquardt announced that upon the advice of the solicitor the investigation into the personnel matter will continue.

Motion to advertise for a per diem police officer made by M.B. Dougherty, second J. Yackera. With the note that this has nothing to do with the current investigation. Resumes due, March 5, 1999, with interviews to follow. Question? None. Vote. All. Motion carried.

Mayor Kelly announced a Fire Police Meeting for March 9, 1999 at 6:30 PM

Motion to adjourn made by J. Yackera, second J. Haluska.

Respectfully submitted
Mary Ambrose
Secretary

11

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** March 11, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt, J. Yackera.
Mayor J. Kelly
Late Arrivals: Solicitor J. Kilker, 7:15 PM
Absent: J. Tinari (work)

PUBLIC COMMENT

E. Burns, representing the Girardville Basketball Association thanked Council for the use of the gym during the basketball season. He asked council to accept two checks, one in the amount of \$200.00 to go towards the cost of heating the gym and the second to be made out for one-half the amount of the cost of the lights that were purchased. GBA had an excellent season and wished to make these donations to the School fund. After some debate council accepted the donations. GBA then asked permission to install a bathroom and possibly a sink on the stage area. The stage area was used as a concession stand that proved to be profitable. They also asked for permission to install glass backboards. The boards up now are the originals from when the building was built. J. Catizone, also from GBA, noted that any and all improvements are to be considered as permanent parts of the building. R. Krick made a motion to allow GBA to install a bathroom in the old kitchen area, replace the backboards, and install a sink on the stage area. The location of the sink to be decided upon at a later date. Motion seconded by J. Yackera. Question? None. Vote. All. Motion carried.

Mr. Kilker arrived, 7:15 PM.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Haluska, seconded by

12
J. Yackera. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Permit Officer's report: Motion to accept as submitted made by J. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Yackera, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Mayor's report: Read by Officer T. Buriak. Motion to accept as read made by J. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Mayor Kelly asked permission to order the following:

Uniform pants – 1 pair

Uniform shirt l/s – 1

Badge holder - 1

Motion to allow the above purchases made by J. Haluska, seconded J. Yackera.

Question? M.B. Dougherty asked if there were any uniform shirts in the back. Mayor Kelly said no. Vote. All. Motion carried.

Officer Buriak requested permission to attend a training conference. The cost is \$40.00. He asked that council pay one-half. After some discussion council reminded Officer Buriak that the Borough will only pay for mandated training. This request was denied. Motion to allow Officers Buriak and Kessler to attend mandated training on April 5 –6 th made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Mayor Kelly requested permission to make arrangement for Little League's opening day parade. This is scheduled for April 24, 1999 to start at 11:00 AM. Motion to allow the parade made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Mayor Kelly informed council that the radio in the Chevy needs to be replaced. It is at least nine years old. He received bids from two locations. Schuylkill Electronics - \$520.00 and Green's Communications - \$608.00. J. Yackera asked if any reason was given for the radio's burning out? Mayor Kelly said that he was told that it just happens. Motion to purchase a replacement and to go with the lowest price made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

A Fire Police meeting is scheduled for April 6, 1999 at 6:30 PM.

UNFINISHED BUSINESS

13
Main Street War Memorial - Council suggested that the memorial be placed outside the Borough Hall. Note was made that the cannon belongs to the Legion. The American Legion decided that they preferred that the Memorial be placed next to the existing memorial on Third Street. They informed council that they will be taking care of all the arrangements. The Borough will no longer be responsible for the maintenance of either of the memorials. A letter needs to be sent to the railroad informing them that the American Legion will be taking over full responsibility for the memorial, and the removal of all structures on the lot. The Borough will no longer be interested in holding lease on the property. Motion to send a letter to the Reading, Blue Mountain Railroad offices informing them of this development made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Motion to adopt the Police Department rules and regulations as submitted made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

The matter of the Tank insurance fund for the school building is tabled.

Police Pension Fund proposed ordinance. This proposed change is finally ready to be advertised. Permission was given at last month's meeting.

NEW BUSINESS

Ordinance 99-3 - Participation in PLIGIT.

Motion to adopt made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Motion to open the PLIGIT account for the Capitol Projects fund with \$20,000.00 made by J. Haluska, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Request from J. Tinari to hold a First Aid class in the borough hall. R. Krick asked does he get paid to do this? J. Yackera said, no, the Red Cross sponsors the classes. Motion to allow made by J. Yackera, seconded J. Haluska. Vote. All. Motion carried.

Motion to allow Bob Phillips to give the borough a price quote on insurance made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Work Regulations amendments. The following proposed changes to be made concern sick time and personal days. This time will be available after one year of employment. Motion to amend made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

PA State Liquid Fuels report 1998 has been approved pending audit.

14

Summer Lunch Program - after several phone calls it was determined that the borough owes the program \$141.35. After some debate over this matter motion to pay made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Per Diem police officer position advertised. Motion to hire Adam Mazack made by M.B. Dougherty, seconded J. Yackera. Question? R. Krick asked what his hourly rate would be? He was told \$6.00 per hour. Vote. All. Motion carried. Mayor Kelly is to contact Mr. Mazack and inform him of council's decision.

Street department - J. Neary's 90 days probation period is up. A favorable report was made to council with recommendation to continue Mr. Neary's employment. Motion to continue employment made by J. Haluska, seconded J. Yackera. Question? None. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Haluska, seconded J. Yackera. Question? M.B. Dougherty questioned the bill submitted by AMC for rental of the skid loader. J. Yackera noted that the cost for this should have been clarified at the time it was first used. R. Krick noted that there have been two work sessions and one meeting in between. The cost and the bill should have been brought to council's attention before this time. When questioned V. Ambrose said the borough put approximately 10 ½ - 11 hours on the machine. E. Burns said you could rent these machines by the hour, week, or month and usually at a cost of \$25.00 per hour. J. Kilker suggested that this bill be tabled. Motion to amend the motion to exclude the AMC bill made by J. Yackera, seconded J. Haluska. Vote. All. Motion carried.

M.B. Dougherty noted that again bills are brought to the floor that were not in place for the work session. Motion that all bills must be submitted in time for the work session to be considered for payment made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

CORRESPONDENCE

Letter to the mayor complaining about lack of hydrants on upper Railroad Street.

J. Yackera addressed this question. He said that both fire companies have hoses that are more than adequate to push water up hill from the existing hydrants. R. Krick said he was not sure that council even has a say in the location of hydrants. He believes that that decision is up to the Water Company. Perhaps placing new hydrants should be examined at the time the bores are done under the rail road tracks for the sewer lines.

PM Church - invitation for borough officials to take part in National Prayer Day on May 6, 1999 at 7:00 PM.

15
US Census Bureau - Notice that block canvassing has begun.

County offices concerning demolition - request for the borough to have letters of support sent from both Senator Rhoades and Representative Lucyk's offices.

DCED - notice that the fencing application has been denied. M.B. Dougherty asked to look into this matter.

Conservation District - sewer project.

VISION - packet, tabled for review.

HARIE - Safety seminar, participation can result in a 5% reduction of costs over 5 years. Motion to allow attendance by V. Ambrose, D. Hess, J. Neary, C. Marquardt, J. Kelly made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

USDA - notice of possible rates for monthly sewerage fees and hook up costs. A meeting should be set up with the Authority to discuss this matter.

Solicitor - request for permission to attend a seminar on hiring and firing of police officers. No Action.

DEP - request for information to complete the handy man trailer grant.

DeAngelo Brothers - Bid for use of street sweeper. Cost to be the same as last year. Motion to accept made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

PSAB yearbook - cost for participation \$35.00. Motion to submit made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

COMMITTEE REPORTS

School: C. Marquardt noted that we are going to have to solve the parking problems. SEDCO is sending a representative to look over the building. They may be of some assistance in finding a tenant.

Police: Requested an Executive session.

OTHER BUSINESS

Request to purchase a lot owned by the borough. The resident was informed of all the necessary steps. Council will consider a bid if submitted.

16
PUBLIC COMMENT

C. Marquardt opened the floor to public comment at this time as council is going to hold an executive session.

No comments.

Mr. Kilker noted that he received a question concerning garage doors being blocked. There was some discussion over how best to provide for this problem and M.B. Dougherty suggested the matter be discussed further. Tabled for review.

Motion was made to have the permit officer contact the owner of the fire damaged property on West Main Street to ask about the intentions to remedy the situation. The owner of 2 West Main Street should also be contacted. Motion made by M.B. Dougherty, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Council adjourned for an executive session on personnel matters. 8:45 PM

Meeting resumed. 9:25 PM

C. Marquardt announced that the personnel matters discussed have been table for further review.

V. Ambrose asked that council consider installation of rain gutters on the north side of the building. Water running off the roof causes an ice problem outside of the doors and down the driveway.

Motion to adjourn made by J. Yackera, seconded M.B. Dougherty.

Respectfully submitted
Mary Ambrose
Secretary

17

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** April 8, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt.

Mayor J. Kelly.

Late Arrivals: Solicitor, Mr. Kilker. 7:05 PM

Absent: J. Tinari, J. Yackera.

PUBLIC COMMENT

Question was raised about the property at 227 East Mahanoy Avenue and the trash that is there. C. Marquardt noted that the Health officer is checking out this complaint.

No further comments.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Haluska, seconded by R. Krick. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by R. Krick, seconded by J. Haluska. Vote. All. Motion carried.

Mr. Kilker arrived. 7:05 PM

Tax Collector's Report: Motion to accept the report as submitted and to pay the tax collector made by J. Haluska, seconded by R. Krick. Question? None. Vote. All. Motion carried.

18

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Haluska, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Mayor's report: Read by Officer T. Buriak. Motion to accept as read made by J. Haluska, seconded by M.B. Dougherty. Vote. All. Motion carried.

Mayor Kelly reminded all present that the Little League opening day parade is scheduled for, April 24, 1999. All players are to report to the corner of Main and Julia Streets by 10:30 AM. Hats and shirts to be distributed at that time.

Mayor Kelly read a letter from Officer T. Buriak informing Council that he is taking a full time job with the Gordon Borough. He will be available for work on a limited basis, perhaps two or three shifts per month. Motion to accept this letter made by J. Haluska, seconded by M.B. Dougherty. Question? None. Vote. All. Motion carried.

A letter was sent to Sheriff Francis McAndrew's office on behalf of Council. This letter requested his assistance in securing prisoner labor as part of the work program. The request was for painting the gym and classrooms and work on the park project.

UNFINISHED BUSINESS

Vision - paperwork sent for review. Still under review.

US Department of Agriculture - Notice concerning possible increases in foreseen tap in and monthly sewage fees. A copy of this letter has been received by the Sewer Authority.

NEW BUSINESS

Ordinance 99-4 - Amendment to the Police Pension Fund. This ordinance will change the Borough's pension fund from Act 600 to Act 120. Motion to adopt Ordinance 99-4 as advertised made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried.

DeAngelo Brothers - Street sweeping scheduled for, May 21, 1999, from 7: 00 AM to finish. Main Street, Second Street and Mahanoy Avenue. Any residents who sweep up in front of their houses can call the borough hall to have the dirt collected.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Haluska, seconded R. Krick. Question? Vote. All. Motion carried.

CORRESPONDENCE

US Census Bureau - Notice of jobs available for the duration of the census. To be posted.

PADOT - Notice of Agility Program meeting. Cressona, April 15, 1999, from 7:00 PM to approximately 10:00 PM.

Schuylkill County Solid Waste Management - Notice of recycling meeting. V. Ambrose attended this meeting.

Summer Food Service Program - Several notices, training and assorted information. Notice that Mr. Massey will be retiring. As of this date the Borough will not be participating in the summer lunch program. Finding someone willing to take on the job as coordinator has proved difficult.

Paul Houser submitted an estimate of \$300.00 for removal of the tree and Third and B Streets. Motion to have Paul Houser remove the tree at Third and B Street made by J. Haluska, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

COMMITTEE REPORTS

School: No report.

Recreation: Committee meeting scheduled for, April 19, 1999, at 6:00 PM.

Safety: Newly formed Safety committee will meet on, April 19, 1999, at 7:00 PM.

OTHER BUSINESS

Solicitor J. Kilker said he had nothing new except the ordinance which was already adopted. The outstanding matter of a possible parking ordinance was tabled.

There are County funds available for demolition projects. This will be a 75 - 25 program. D. Grow, from the County offices, will be coming to look over the properties that had been submitted for consideration. Mr. Kilker should represent the Borough and go over the following with Mr. Grow. The properties on West Main Street, John Street and West Mahanoy Avenue. Some of these are already in County hands for back taxes. The results of the meeting should be available at next month's meeting. Motion to have Mr. Kilker handle the demolition matter made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Letter to request purchase of property at 311 A Street by Mr. & Mrs. Devaney. Request accompanied by an appraisal valuing the property at \$500.00. R. Krick noted that there is an easement attached to the deed. There is a main sewer line scheduled to run through

20
this property. This matter has to be addressed by the Sewer Authority. Motion to have Mr. Kilker send a letter to the Sewer Authority informing them of Council's intention to sell the property for the amount of \$500.00 This letter to ask GAMA approve the sale subject to any limitations they need to set. This motion made by J. Haluska, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. An answer on this matter to be given next meeting.

Motion that the price for this parcel shall be set at \$500.00, the Solicitor to handle the sale made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried.

R. Krick noted a request for a street light on Oak Street and Third Street. Motion to put a street on the existing pole on Oak Street off Third Street made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. C. Marquardt said he will get the numbers off the pole and call PP&L.

PUBLIC COMMENT

No comments

Motion to adjourn made by J. Haluska, seconded M.B. Dougherty.

Respectfully submitted
Mary Ambrose
Secretary

21

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** May 13, 1999 **TIME:** 7:10 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, R. Krick, C. Marquardt, J. Tinari.

Solicitor J. Kilker

Members absent: J. Haluska (work)

Members late: J. Yackera, 7:50 PM Mayor J. Kelly, 7:35 PM

PUBLIC COMMENT

M. Ritro asked the status of the Court Order concerning the dogs on the Yagielinski property. J. Kilker noted that he had several things pertaining to this matter to go over with Council. This will be discussed in and Executive Session.

W. Devaney questioned the status of the sale of the property at 311 A Street. J. Kilker said that Attorney Fanelli, GAMA, noted that there was no problem with the sale of the property with the stipulation that anything the Sewer Authority needs done is done to their satisfaction. Mr. Kilker will deliver the deed within a week.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Tinari, seconded by M.B. Dougherty. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by M.B. Dougherty, seconded by J. Tinari. Vote. All. Motion carried.

Mayor's report: Read by Ptlm. M. Kessler. Motion to accept as read made by J. Tinari, seconded by R. Krick. Question? C. Marquardt asked how many hearings had been

22

attended and not attended? M. Kessler said he did not know. Marquardt informed him that information should be on the report. Vote. All. Motion carried.

Permit Officer's report: Motion to accept as submitted made by J. Tinari, seconded by M.B. Dougherty. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Tinari, seconded by R. Krick. Vote. All. Motion carried.

UNFINISHED BUSINESS

Sale of Property: Solicitor to convey deed to W. Devaney.

Demolition: D. Grow and a representative of DCED were in town and inspected the properties submitted for consideration. Mr. Kilker noted that 331-333 West Mahanoy Avenue is privately owned and must be conveyed or condemned. It would probably be cheaper to have the property conveyed to the Borough then to go through the legal proceedings to condemn. R. Krick noted that he had a problem with accepting a property and the liability if the County does not tear them down.

The possibility of adding the Strong building to the list was raised. Mr. Kilker was informed by C. Marquardt that J. Catizone indicated he was going to clean up the property. Mr. Kilker said that when he spoke with Mr. Catizone there was no such indication. The property is owned by a Rosemary Ross.

Motion to send the County a check in the amount of \$14,500.00 as payment of our portion of the demolition of the following properties made by R. Krick, seconded J. Tinari.

116 1/2 W. Main Street

118 W. Main Street

103 Richard Street

329 W. Mahanoy Avenue

331 W. Mahanoy Avenue

333 W. Mahanoy Avenue

Question? None. Vote. All. Motion carried.

Mr. Kilker again asked if Council wished to do anything about the other property.

C. Marquardt noted that it is privately owned and there are different stories concerning ownership and intent. M.B. Dougherty asked why, when a couple of months ago a request was made to contact the owners of the properties of that section of the 100 block of West Main Street, no report has been received? R. Krick suggested Council consider taking legal action against the owners.

Mayor J. Kelly arrived, 7:35 PM.

NEW BUSINESS

SFSP: C. Marquardt noted that the solicitor's response to a letter claiming the borough owed money from the 1997 program indicated the borough's willingness to pay. There has been some question on this matter. M.B. Dougherty was looking into it. To date there has been no response from the Department of Education. M.B. Dougherty said that we should be prepared to submit any paperwork indicating that we held up our end of the contract. A meeting is to be scheduled to meet with Susan still. Council will be informed of the date.

Basketball Courts, sealing: Dura Seal returned estimate of \$950.00 to seal the East End courts. There would be an additional charge of approximately \$100.00 due to the facts that cracks on the surface need to be sealed first. Cost estimate for the West End courts is \$456.00. Council recommended holding off on the West End courts until decisions concerning that park are made. Motion to contract with DuraSeal to fill the cracks and seal the East End basketball courts with the estimate being \$1050.00 made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Basketball Courts, fencing: Lok-Weld estimate for 146 feet of 12 foot high fencing in the amount of \$3871.70. This price quote is from last year and is subject to change. Motion to fence the East End courts made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Recreation committee requested use of the park for the Kids Fair '99. This is a free program arranged through Schuylkill County Council for the Arts. Date set for, July 13, 1999, at 1:00 PM. Motion to allow made by M.B. Dougherty, seconded R. Krick. Question? None. Vote. All. Motion carried.

Request from V. Ambrose to purchase LubraSeal. This a protectant for the plows. Motion to allow purchase made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Request by Secretary to approve payments of costs related to the East Main Street sewer job. Motion to approve payment of bills connected to the East Main Street sewer job made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Request for repairs to the dump truck. Damage to door and cab corner. Repair estimates: John's Auto Body - \$348.00, Paul's Chevy - \$352.00. Motion to have the needed repairs done at the lowest price made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Tinari, seconded R. Krick. Question? None. Vote. All. Motion carried.

C. Marquardt questioned J. Kilker about the hourly rate charged on the bill submitted for legal services. He noted that at the time the budget was prepared the rate was to remain at \$60.00 @ hour. This bill indicates a rate of \$75.00 @ hour. M.B. Dougherty noted that the increase in the rate was never discussed. C. Marquardt told J. Kilker that Council should have received something in writing concerning the rate increase.

At this point a resident of Girardville Towers entered and asked for the floor. His question concerned the amount of handicap parking spaces in the lot for the building and non-residents parking there. He was told by C. Marquardt that the lot is private and all of this needs to be addressed by the property owners.

CORRESPONDENCE

Entech - Copy of the letter placing the GAMA bid ad. Deadline is June 24, 1999.

J. Yackera arrived, 7:50 PM

USDA - Letter notifying approval of going out to bid.

DEP - Disbursement in the amount of \$99.00. This is the balance of the recycling grant to purchase the trailer.

J. Kilker - Letter with copy of Court Order concerning J. Yagielinski.

Grow With Me Nursery School - Request to use the building for graduation ceremony. June 4, 1999 from 6:30 - 7:30 PM. Motion to allow use of the building made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

PSAB - Conference schedule.

Schuylkill Transportation Service - Notice of public hearing concerning schedules and expenditure of public funds.

USDA - Notice of programs available for business for low cost loans to enable ADA compliance for accessibility.

COMMITTEE REPORTS

School: Mayor Kelly applied for participation in the Work Release program through the Sheriff's office. Waiting a reply. One of the projects would be painting the gym. This is a project the prefer to schedule for the fall. R. Krick checked with Bidy and they saw no difficulty in working the schedule around the possibility of closing the gym for a week.

Recreation: The park is 90% completed. R. Dillman will be contacted to give a cost estimate on preparing a comprehensive plan for the West End Park.

Parking bumpers received from Slouch used to block vehicle access to the West End park. A letter of thanks to be sent. Donald Bernosky was responsible for securing 51 bumpers for the Borough.

Letter from Donna St. Claire indicating her appreciation of the improvements in the East End Park. She indicated that a \$500.00 donation would be forthcoming if allowed to have input as to how the money is expended. Council accepted the offered donation. A letter to be sent thanking her for her generosity and asking if putting the money towards the purchase of fencing would be acceptable.

Due to vandalism and trash problems council discussed closing the parks. Motion to post the parks closed at 9:00 PM made by J. Yackera, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Streets: J. Tinari reported on the progress of the sewer problem on East Main Street.

The John Street bridge has been temporarily closed to foot traffic.

Ogden Street Bridge will be completed. Engineer has compiled a punch list. No date set for completion at this time.

Street Sweeper - May 21, 1999, Post no parking Main, Second, and East Mahanoy Avenue 6:30 AM to completion.

Safety: Meeting scheduled May 17, 1999, 7:00 PM

OTHER BUSINESS

AMC Enterprises - rental skid loader, questioned bill in amount of \$700.00.

C. Marquardt said that M. Kitsock said his bill stands as submitted. He suggested that Council pay him \$500.00 and make a \$200.00 donation to the Girardville Little League. After much debate and questions on this matter J. Yackera made a motion to pay AMC - \$500.00 and make the requested donation to Little League - \$200.00. M.B. Dougherty remarked that if AMC is willing to accept \$500.00 then why ask the Borough to pay the balance to Little League? If Council turns this down it looks as if we do not want to donate to Little League. Each year a donation is budgeted and given to Little League directly from the Borough. If Mr. Kitsock wishes to make such a donation then he should do so directly. At this point J. Yackera withdrew his motion. Motion to pay AMC in the amount of \$500.00 made by J. Yackera, seconded M.B. Dougherty. Question? None. Vote. R. Krick - NO balance of council in attendance - YES. Motion carried.

26
The Memorial Day Parade is scheduled for May 31, 1999. Details will be forthcoming from the American Legion.

Girard Hose Co. will hold their annual block party, June 4, 5, 6, 1999. They have requested permission to block Oak Street between Vine and Second Streets on these days and also to post the 100 & 200 blocks of East Main Street No Parking on, June 5, 1999, between 4:00 - 9:30 PM. This will allow parking of the fire apparatus participating in the parade. Motion to allow the Girard Hose Co.'s requests made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

J. Tinari requested use of Borough Hall to hold a CPR class. Motion to allow provided the date requested is available made by J. Yackera, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

At this point Council announced its' intention to go into Executive Session.

PUBLIC COMMENT

No comment at this time.

Return from Executive session.

On the Yagielinksi matter. Motion to have the Solicitor file the contempt order made by J. Yackera, seconded J. Tinari. Question? None. Vote. All. Motion carried.

In the matter of VanHorn and Morgan - Motion to file complaint to abate a nuisance made by J. Yackera, seconded J. Tinari. Question? None. Vote. All. Motion carried.

In the matter of the Rosemary Ross property on West Main Street. Formal notice to be sent through the solicitor's office. Motion to have the solicitor identify and contact the owner's of the properties in the row on West Main Street concerning their intentions concerning the buildings made by M.B. Dougherty, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Motion to identify owner's of all rundown properties and have letters sent asking the property owner's intent concerning the buildings made by J. Yackera, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Motion to purchase fencing for the East End Park at the lowest cost made by J. Tinari, seconded J. Yackera. Question? J. Yackera asked who would review the bids? R. Krick noted that the cost should be around \$1500.00 and could be purchased under the motion. Vote. All. Motion carried.

C. Marquardt is looking to contact all the local organizations in town for participation in the recycling calendar. Anyone wishing to have an event listed should submit the information.

Motion to adjourn made by J. Yackera, seconded J. Tinari.

Respectfully submitted
Mary Ambrose
Secretary

23

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. DATE: June 10, 1999 TIME: 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt, J. Tinari.
Solicitor, J. Kilker

Members absent: J. Yackera, Mayor J. Kelly

PUBLIC COMMENT

M. Ritro asked the status of the dogs on West Main Street. J. Kilker said he understood that J. Yagilenski would be served by the Sheriff's department tomorrow. Any time after the papers are served the dogs can be removed. He recommended that the State Police be notified if there is a threat of violence. Our police office should coordinate with the SPCA.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Mayor's report: Read by C. Marquardt. Motion to accept as read made by J. Tinari, seconded by J. Haluska. Vote. All. Motion carried.

Permit Officer's report: Motion to accept as submitted made by J. Tinari, seconded by J. Haluska. Vote. All. Motion carried.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Tinari, seconded by J. Haluska. Vote. All. Motion carried.

UNFINISHED BUSINESS

311 A Street - J. Kilker reported that the deed is ready to be signed when the agreed upon \$500.00 is received. Motion to authorize C. Marquardt to execute the deed made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Demolition - Richard Street adjacent property owner has to stipulate repairs will be done in order for the requested property to be considered for the demolition project. West Mahanoy Avenue properties, J. Kilker said no indication from Van Horn as to their intentions. The paperwork to abate the nuisance is ready. Motion to file the motion if required made by J. Tinari, seconded J. Haluska. Question? Non. Vote. All. Motion carried.

Handicapped spaces are to be reviewed. Motion to send letters reminding those who have not done so to pay the annual renewal fee made by J. Haluska, seconded J. Tinari. Question? None. Vote. All. Motion carried.

NEW BUSINESS

The Watershed Association in conjunction with DEP requested use of the Borough hall building, date to be confirmed. Motion to allow made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Motion to pay the annual contributions to the Fire Companies in the amount of \$1200.00 each made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

GAMA - request for updated tax files on electronic media from the court house. Approximate cost will be \$75.00. This information will be needed to set up a base count for the new sewer project. Motion to send letter to the Tax Assessors' office requesting the above information made by J. Haluska, seconded J. Tinari. Question? None. Vote. All. Motion carried.

East End Basketball Courts - Originally approved prices increased by approximately \$2000.00. Fencing contract awarded to A&H - \$4874.00. C. Marquardt noted that we received confirmation of receipt of the \$5000.00 grant to purchase this fence. Motion to purchase from A&H made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

32

Co -Lex Services - a company that places municipal liens. This was tabled for discussion.

Wm Penn Fire Company - Request for permission to route their annual fire truck parade through Girardville and for assistance with traffic control. Motion to allow made by R. Krick, seconded J. Tinari. Question? Mayor Kelly will make all traffic control arrangements. Vote. All. Motion carried.

PM Church and St. Joseph Church - request for permission to block of a section of Richard Street for a small block party. Motion to allow Richard Street between Main and Oak Streets be blocked off, July 10, 1999, made by J. Tinari, seconded J. Haluska. Questions? Insurance is their responsibility, as well as public toilet facilities. Traffic cones and No Parking signs to be provided by the borough. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay as submitted made by J. Haluska, seconded J. Tinari. Question? None. Vote. All. Motion carried.

CORRESPONDENCE

DCED - survey to be filed concerning volunteer fire companies. Motion to file survey made by M.B. Dougherty, seconded R. Krick. Question? None. Vote. All. Motion carried.

VISION - Unity day is September 25, 1999

Grow With Me Nursery - Thank you note for use of borough hall for graduation ceremonies with a \$10.00 donation.

STV - Bridge inspection John Street bridge, June 11, 1999

COPS Office - Application for funding turned down. R. Krick asked who authorized anyone in the police department to apply for grant money? No grants may be submitted without Council approval. Motion to send letter to Mayor informing him of this condition made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

MCCI - request for prison work detail approved. Dates to be arranged.

J. Kilker - letter concerning West Mahanoy Avenue properties.

Lycoming Supply - one year warranty on work on the bridge.

Meckley - credit application approved.

Pennsylvania National Bank - notice of reorganization to Keystone Financial.

PROP - notice of conference.

Summer Lunch Program - letter requesting response to request to participation.
M.B. Dougherty is still waiting to hear from Susan Stiller.

Prodesign Plus - Master site plan for West End park proposal, \$1400.00 Motion to accept made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Letter from DCED stating the fencing project money was approved. M.B. Dougherty thanked Senator Rhoades office for all their assistance in this matter.

PSAB - program for drug/alcohol testing for CDL/non-CDL drivers. Filed.

PLIGIT - survey of services. Filed.

Solicitor Edward Brennan - M.B. Dougherty asked that council address the hand delivered letter. J. Kilker said he is aware of cases pending concerning air freshners hanging from rear view mirrors. He informed Atty. Brennan that this matter would be reviewed. Apparently Ofcr. M. Kessler felt that this matter has risen to the level of stalking. A hearing is scheduled for July which will most likely be postponed to a later date. C. Marquardt asked for a report on this matter. J. Kilker recommended telling the officer to be very careful and aware of legal repercussions concerning any action he might take. The Mayor and Police Committee should review this matter.

COMMITTEE REPORTS

School: R. Krick reported that he still has some rentals.

Safety: Monthly meeting, July 14, 1999 7:00 PM

Recreation: Cost of a 12x20x10 pavilion - \$3800.00 installed
\$2800.00 kit

Motion to purchase and have installed the pavilion for the East End Park made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Installation of limestone path in the new playground is underway.

July 13, 1999 - Kids Fair at the East End Park.

Streets: John Street bridge inspection scheduled.

32

Police: A meeting to be scheduled to review personnel matters concerning M. Kessler. M.B. Dougherty requested that the Mayor be asked to address the matter of the police schedule. C. Marquardt noted that there has been some difficulty in contacting the various officers and coordinating schedules. Motion to advertise for a per diem police officer made by M.B. Dougherty, seconded J. Tinari. Question? This ad to be placed in both the Standard Speaker and the Pottsville Republican. Deadline for applications/resumes, June 25, 1999, 1:00 PM. Interviews to be done at the next work session. Question? None. Vote. All. Motion carried.

OTHER BUSINESS

Solicitor J. Kilker noted that the properties for demolition were advertised however the properties on West Mahanoy Avenue were not advertised.

The dog matter was discussed at the beginning of the meeting.

Concerning the West Main Street properties; Hoffman's he received no answer. The Pa National Bank is trying to convince their insurance carrier to tear the building down. R. Ross, no response. J. Catizone has been delegated to take care of the building. He is supposed to take action by sometime next week. Health officer M. Brennan did contact him. R. Krick noted that J. Catizone has been hospitalized. J. Wayne, no response.

PUBLIC COMMENT

No comments.

Motion to adjourn made by J. Tinari, seconded J. Haluska.

Respectfully submitted
Mary Ambrose
Secretary

33

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** July 15, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt,
Mayor J. Kelly, Solicitor J. Kilker

Members absent: Joseph Tinari, J. Yackera. (Note: this was corrected)

PUBLIC COMMENT

No comments at this time.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by R. Krick, seconded by J. Haluska. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by R. Krick, seconded by J. Haluska. Vote. All. Motion carried.

Permit Officer's report: None submitted.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Haluska, seconded R. Krick. Question? None. Vote. All. Motion carried.

Mayor's report: Motion to accept as read made by J. Haluska, seconded by R. Krick. Vote. All. Motion carried. The Mayor reported that the doubled barrel shotgun to be destroyed. M. Kessler informed the Mayor he could be back, available for duty by this Monday. Fire Police meeting - August 10, 1999, 6:30 PM. Police Committee meeting - 8:00 PM.

UNFINISHED BUSINESS

Summer Food Service Program – still waiting a letter of confirmation from the Harrisburg office that the matter of past accounts is closed.

J. Kilker said that concerning the properties on West Main Street he had only one response. The Pa National Bank is trying to persuade their insurance carrier to tear down the building they own. No response from any other owners.

A&H Fencing is scheduled to begin the fence installation at the East End Basketball courts early next week.

NEW BUSINESS

Request from the Coulson's to purchase 245 West Main Street. All the required paperwork was submitted. Motion to sell the property at 245 West Main Street for the amount of \$600.00 made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried. The solicitor is to complete the deed for transfer.

Insurance renewals – Bids received from Seltzer Insurance Agency and Higgen's Associates. Motion to accept the bid submitted by Seltzer Insurance Agency made by J. Haluska, seconded R. Krick. Question? None. Vote. All. Motion carried.

QuickPay – Notice of change in method of availability of tax tables. This matter was tabled pending further investigation.

Due to difficulties caused by the humidity cost of installing air conditioning in the Municipal were investigated. Prices from Antz are 12,000 BTU in wall unit, \$1100.00, ductless, \$2200.00 installed. This matter was tabled.

Request to purchase additional 42 cubic yards of wood carpet for the East End Playground at a cost of \$735.00 made by V. Ambrose. Motion to purchase made by J. Haluska, seconded R. Krick. Question? None. Vote. M.B. Dougherty - NO. Motion carried.

Request to purchase a set of acetylene and oxygen tanks at a cost of \$300.00 made by V. Ambrose. It was noted that the Borough currently rents these at a cost of \$80.00 per year. Motion to purchase the tanks from Sterling made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Open House Girardville Towers - This is scheduled for July 19, 1999.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Haluska, seconded M.B. Dougherty. Question? Vote. All. Motion carried.

CORRESPONDENCE

Schuylkill County Economic Opportunity Cabinet - information on the housing/rehabilitation program.

DCED - Financial stats on file.

Mayor Kelly received correspondence from PADOT and Representative E.J. Luyck answering his concerns about Route 54 and the curve area around St. Joseph's Cemetery. These are on file. As a result a meeting is to be held to discuss possible repairs in this area to include replacement of that section of guard rail.

COG – invitation to participate in the possible formation of a Northern Schuylkill County Council of Government. The meeting is to be held in Mahanoy City on, August 18, 1999. Those on council planning to attend are C. Marquardt, M.B. Dougherty and R. Krick.

ProDesign Plus - Letter for the grant stating the East End Park has been completed according to the plans. Motion to submit the remaining grant paper work made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. As part of the continuation of the park project the old pavilion has been torn down and the new one installed. The last remaining portion of the project is the installation of the fence across the back of the playground.

Demolition - The deeds for the Ello properties are prepared for receipt by the Borough. The Tax Claim Bureau noted that for \$1.00 the Borough could purchase the empty lot on the South side of West Main Street. The sale of the Bann property has also gone through. Janet Morgan delivered to the Solicitor's office a letter of intent for the purpose of demolition. It should be sufficient to satisfy the requirements of the County. Motion to accept the Ello properties from the Tax Claim Bureau made by R. Krick, seconded J. Haluska. Question? None. Vote. All. Motion Carried.

Solid Waste – Notice that sometime in the fall the Borough will become a permanent site for recycling. The dumpsters will be on site all the time.

PSAB - Notice of Borough showcase to be held in Robesonia.

DCED - Land use forum for Schuylkill County scheduled for, August 4, 1999.

Auditor General's Office - Pension plan audit, notice that the Borough is now in compliance with the recommendations made at the time of the audit.

SYEP - requested use of the Borough Hall, July 19, 1999, for their annual career information meeting. Motion to allow made by M.B. Dougherty, seconded J. Haluska. Question? None. Vote. All. Motion carried.

COMMITTEE REPORTS

School: R. Krick noted that construction of the bathroom has been started.

Parks: J. Haluska reported that Kid Faire was a success. There was a nice turnout. The fencing should be completed within the next two weeks. V. Ambrose accepted the road material from PADOT and spread it out by the basketball courts to make a nicer area for parking. The pavilion in the West End park has been removed. A thank you letter needs to be sent to the Prison Board for the labor that was provided through the Sheriff's office.

Police: No report. Reviewing applications. The Mayor requested permission to write to the Gilberton Borough Council and Mayor and invite them to attend a meeting. The purpose is to discuss sharing of police services. Motion made to send letter by M.B. Dougherty, seconded J. Haluska. Question? Mayor Kelly asked about inviting Butler Township. It was decided to only talk to Gilberton at this time. Vote. All. Motion carried.

OTHER BUSINESS

Solicitor J. Kilker - No decision was rendered as of this date in the Yagilenski matter. This is in the hands of Judge Palmer Dolbin.

He asked Council if they wanted any other specific actions taken in the matter of the properties on West Main Street. Stronger letters were suggested with deadlines for replies.

V. Ambrose thanked the following for all their assistance during the Playground project. Suden Trucking, R. Krick for loan of tools, Quality Stone and Burns Contracting.

J. Haluska requested a thank you note be sent to Schuylkill County Council for the Arts for the Kids Faire.

Motion to adjourn made by J. Haluska, seconded R. Krick. Vote. All.

Respectfully submitted
Mary Ambrose
Secretary

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

SPECIAL MEETING

PLACE: Municipal Bldg. **DATE:** July 27, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt, J. Yackera.
 Mayor J. Kelly, Solicitor J. Kilker

Members absent: J. Tinari

PURPOSE OF MEETING

To approve additional funds needed to participate in the County demolition program.

PUBLIC COMMENT

No public present.

BUSINESS

Due to bids be slightly higher than anticipated the borough will need an additional \$2504.00 over and above what has already been paid to the county. Also, funds are needed to cover payments to the Tax Claim Bureau and the Recorder of Deeds. Total additional expenditures should not exceed \$2800.00. Motion to expend the necessary additional funds to assure participation in the County Demolition Program made by R. Krick, seconded J. Yackera. Question? M.B. Dougherty raised the question of requesting that the County and School Board forgive the taxes. Vote. All. Motion carried. Motion to send letters to the County Commissioners and the North Schuylkill School Board to ask the taxes on the Van Horn/Morgan properties be waived made by M.B. Dougherty, seconded R. Krick. Question? Who will send these letters. Instructions given that the Solicitor will submit the requests. Vote. All. Motion carried.

Motion to adjourn made by M.B. Dougherty, seconded J. Yackera

Respectfully submitted
 Mary Ambrose
 Secretary/Treasurer

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

EMERGENCY MEETING

PLACE: Municipal Bldg. **DATE:** July 28, 1999 **TIME:** 8:00 AM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, R. Krick, C. Marquardt, J. Yackera
Members absent: J. Haluska, J. Tinari, Mayor J. Kelly, Solicitor J. Kilker

PURPOSE OF MEETING

Farmer's Home papers relating to funding of the sewer project that must be signed immediately or risk loss of funding.

PUBLIC COMMENT

No public present.

BUSINESS

R. Krick informed the members present that yesterday a representative from FmHA gave T. Yesalavage, GAMA Chairman papers to sign stating if they weren't signed and taken to Harrisburg immediately funding for the project would be lost. These concerned additional money needed which resulted in a tap in fee of \$800.00 and monthly fees of \$30.00. All present agreed that the timing of this was really bad and not fair. There was no way T. Yesalavage could sign these papers without Council approval. Meanwhile, calls were placed to Representative T. Holden's office. A request was made either for an extension or the numbers to be reduced. Tentative numbers sent to Council were tap in - \$500.00, monthly fee - \$32.000. Motion to authorize T. Yesalavage to sign the required paperwork on the condition that the numbers are \$500/\$32 made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Motion to adjourn R. Krick, seconded J. Yackera.

Respectfully submitted
Mary Ambrose
Secretary/Treasurer

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** August 12, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt, J. Tinari

Mayor J. Kelly

Late Arrivals: Solicitor J. Kilker, 7:10 PM

Members absent: J. Yackera

PUBLIC COMMENT

The O'Connors' of Upper Railroad Street asked the Mayor to beef up patrols. They have been plagued by people on four wheelers. The noise is becoming a major problem along with the dust raised and the fact that it is not safe. The Mayor agreed to have the officers patrol more when they were on duty.

APPROVAL OF REPORTS

Minutes: Motion to accept the three (3) sets of minutes as submitted made by J. Haluska, seconded by J. Tinari. Question. M.B. Dougherty asked about the correctness of the, July 15, 1999, minutes where it showed J. Yackera arrived late. She noted she believed he was absent. Checking of notes proved her correct. Motion amended by J. Haluska, seconded by J. Tinari to show the correction to the, July 15, 1999, minutes. Vote. All. Motion carried. Vote to accept all the minutes. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Mayor's report: Read by D. Weikel. Motion to accept as read made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried. R. Krick noted that hearings attended are to be listed. D. Weikel reported that one (1) hearing was attended.

The Mayor made a request for purchase of uniforms. Two shirts and two pair of pants. One set each for Officer M. Kessler and D. Weikel. Motion to approve uniform purchase made by J. Haluska, seconded by J. Tinari. Question? None. Vote. All. Motion carried.

Mayor Kelly noted he received a letter from Representative Luyck concerning Route 54. PADOT has put replacing the guardrails on the priority list. Mayor Kelly said he would send a letter requesting that removal of the rock face and trees be put on the high priority list as well.

Permit Officer's report: Motion to accept as submitted made by J. Haluska, seconded by.. Vote. All. Motion carried.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by M.B. Dougherty, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

UNFINISHED BUSINESS

Summer Food Service - still waiting letter from the Department of Education concerning the audit findings.

NEW BUSINESS

Motion to send for the Keystone Recreation Grant paperwork made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

CDBG grant application deadline is October 29, 1999. R. Krick suggested applying again for the handicap accessible doors for the school building. M.B. Dougherty suggested waiting until after the meeting with Mahanoy City due to the possibility of applying to use funds to pay for a Code Enforcement officer. Matter tabled.

Schuylkill County Council for the Arts - letter requesting that the program be considered in next year's budget. Paperwork to be submitted for participation next year with section to show projected budget.

Status Leaf Vac - location for compost pile needed.

Motion to purchase four (4) new tires for the pickup truck through the piggyback program for \$76.10 each made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Date set for Senator Rhoades to come and make the check presentation. This is the

41
\$5,000.00 received that was used to fence the basketball court at the East End Park.
August 26, 1999 at 11:00 AM.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Haluska, seconded J. Tinari. Question? C. Marquardt noted that the extra coverage for the plows was agreed upon and the insurance agent informed. Vote. All. Motion carried.

CORRESPONDENCE

SYETP - Thank you note for use of building for their annual job training seminar.

Prothonatry office - Information concerning lawsuits that would expire. Docket numbers only. This was passed on to the Solicitor.

Strouse Law Firm - request for information on possible municipal liens on a property. As there are no liens, no action is required.

Melissa and Vince Brennan - Request to purchase the lots at 116 ½ and 118 West Main Street when the demolition project is complete. Tabled.

Rush Township - Invitation to attend meeting concerning the formation of a COG, August 17, 1999, 7:00 PM, Mahanoy Area High School. Member of council will be attending.

EMA - course notification. Emergency Management offerings.

PADOT - Notification that Route 54 guardrail replacement has been put on the priority list. If time and financial considerations hold until the fall the guardrail will be replaced.

Request for upgrades to the police vehicles - this matter was tabled.

USDA - Notice concerning application for possible loans for installation of private lines for the sewer project. Corrected information with a Schuylkill County contact was received.

Mahanoy City Borough - Invitation to attend discussion of possible ways to share a code enforcement officer. Meeting, August 17, 1999, 9:00 AM.

PSAB - general information, classes available.

COMMITTEE REPORTS

School: R. Krick reported that the Bidby Basketball Assn. has begun working on the installation of a bathroom. Arrangements should be made to have the floor cleaned. The prisoners have been requested to paint but the patching on the walls needs to be completed first. Possible dates for the painting are in November.

Recreation: Question was raised by a resident about the possibility of having another piece of handicap accessible equipment added. Council understood that the park is fully handicap accessible and meets all ADA requirements. R. Krick made a motion to contact Mr. Ron Dillman, who designed the park, and ask if there he has any suggestions for a possible handicap accessible swing. Motion seconded by M.B. Dougherty. Question? Additional equipment must meet the regulations set by the State as the park was built with grant money. Vote. All. Motion carried.

J. Haluska reported that the East End Park Project is done. The final leg, the installation of fencing on the B Street side of the Basketball courts has been completed.

Streets: The prisoners were here and have finished the projects. Brush was cleaned up from along the creek. Thank you notes have been sent to all the authorities.

M.B. Dougherty noted that there are high weeds along West Main Street. This information was given to the Health Officer.

Police: Police committee meeting scheduled for, September 7, 1999, 8:00 PM. Fire Police meeting scheduled for, September 7, 1999, 6:30 PM.

Solicitor: Mr. Kilker reported that all the required paperwork for the demolition project has been completed.

On the Yagielinksi matter we are waiting to hear a decision from the Judge. He currently has no dogs on his property.

The deed for the property transfer to the Colsun's has been completed.

Concerning the question of a possible joint police venture with Gilberton Borough, Mr. Kilker reported that their solicitor contacted him and told him to draw up the necessary papers. He did not feel comfortable expending the hours needed without approval of council and also a more formal agreement with Gilberton. Motion made by R. Krick to show that Girardville Borough is interested in a joint venture but will not proceed until receiving a letter of commitment from Gilberton Borough. Motion seconded by J. Haluska. Question? None. Vote. All. Motion carried. This matter was given to the solicitor to handle.

In the matter concerning Officer M. Kessler and Mr. Thomas Flannery, Mr. Kilker said

43
/

that he attended the hearing. Officer Kessler won two of the four charges filed. He hopes that this matter will lead Officer Kessler to be more careful in the future and also hopes that this does not lead to a civil suit being filed.

M.B. Dougherty brought to Council's attention the problems with Berkheimer Associates and incorrect delinquent notices being sent to residents. Motion made by M.B. Dougherty to send a letter to Berkheimer expressing our outrage over these inaccuracies and telling them we expect better services in the future. Motion seconded by J. Haluska. Question? None. Vote. All. Motion carried.

M.B. Dougherty noted that Joseph Yackera has now missed three (3) council meetings in a row. Borough code states that removal can be requested after two (2) consecutively missed meetings. She asked if anyone knew if there was a problem resulting in the missed meetings. No one had any answer to that question. C. Marquardt said he would talk to him about this matter. Motion made to send him a letter notifying him of this situation made by M.B. Dougherty, seconded R. Krick. Question? None. Vote. All. Motion carried. M.B. Dougherty noted that it should be on record that this is being more than fair. A motion for removal could be introduced at this meeting. C. Marquardt asked that it wait for J. Yackera's answer and his intentions.

R. Krick noted that the special meeting held concerned the Sewer Authority loan to finish financing. The proposal was Hook ups = \$800.00, Monthly fee = \$30.00. Negotiations resulted in the paperwork being filed with Hook up = \$500.00, Monthly fee = \$32.00.

There is information available concerning a loan/grant program which can be used to offset hook up costs and possibly line installation costs. GAMA will address this matter. A meeting will need to be scheduled to get this information out to the public. The project will begin sometime this fall. Any questions or concerns should be addressed to the Sewer Authority. Their next meeting is, August 26, 1999, 7:00 PM.

The initial financing called for no hook up fees but because the project has dragged on there is now an additional \$1.2 million which must be financed.

OTHER BUSINESS

The Watershed Assn. is planning to have a cleanup and R. Krick asked for permission to use the Borough dumptruck to assist with this project. He would be the one to drive the truck. No dates have yet been set. Motion to allow use the truck made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Motion made by M.B. Dougherty to send a letter to the County Commissioners for their share of the demolition funds. Motion seconded by J. Haluska. Question? None. Vote. All. Motion carried.

44
August 26, 1999, council will hold a drive through to begin formulating a list of properties for the next round of demolition funding.

PUBLIC COMMENT

No public comment at this time.

Motion to adjourn made by J. Haluska, seconded J. Tinari. Vote. All

Respectfully submitted
Mary Ambrose
Secretary

45

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** September 9, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, R. Krick, C. Marquardt, J. Yackera

Mayor J. Kelly, Solicitor J. Kilker

Members absent: J. Haluska (work) J. Tinari (work)

PUBLIC COMMENT

Mr. T. Flannery asked for the floor. He wanted answers concerning his letter dated May 25, 1999. These letters were hand delivered to each council member and he requires an answer as soon as possible. Mayor Kelly informed Mr. Flannery he will contact him. T. Flannery asked was Mark Kessler employed by the borough as a police officer on June 6, 1999. Was he authorized to contact the DEP District mining office at 9:00 AM that same day? Mayor Kelly said that M. Kessler was not on duty at that time and was not authorized to contact DEP offices. T. Flannery went on to say that it is common knowledge that a borough solicitor cannot prosecute against a State charge. Mr. Kilker was at the Magistrate's office for his hearing. He asked if there was any cost incurred by the borough for this matter. J. Kilker said that he would have to check his billing and see if there were any charges.

Mrs. Labie noted that she is concerned about the safety of the children riding bikes. They come down Third Street and most times do not stop at the intersection. She asked if Council would consider making a four way stop at Third and A Street. Also, she asked if anything was being done about the amount of litter in the parks. C. Marquardt replied that signs are posted and we are working on this matter. Borough workers should not have to spend time each day cleaning up litter. The question of people playing basketball at 4:00 AM was raised. Again, C. Marquardt said we are working on the problem.

46

M. Ritro asked if the police department could do something about the 4 wheelers on Preston Avenue. There are quite a few children on the block and these vehicles come the wrong way down the one way street. Mayor Kelly said that he is aware of who they are but the problem is catching them.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Yackera, seconded by R. Krick. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Yackera, seconded by R. Krick. Vote. All. Motion carried.

Mayor's report: Read by Ofcr. D. Weikel. Motion to accept as read made by J. Yackera, seconded by R. Krick. Vote. All. Motion carried. J. Kelly submitted a receipt from M. Kessler for reimbursement for half the cost of the ammo used for qualification. J. Yackera noted that past practice was to pay for the ammo used. Motion to reimburse 100% of the cost made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried. R. Krick asked what happened to the inventory that was supposed to have been done of the ammo in storage by the Police Department? J. Kelly told him that there was no ammo in the lockers but that the borough paid for ammo used for qualifications. J. Yackera noted he thought that the officers purchased ammo for carrying and that the borough would reimburse for any ammo used in the line of duty. The question of policy either existing or needed was brought up. Policy needs to be examined.

Fire Police meeting - October 12th, 6:30 PM

Police Committee meeting - October 12th, following work session

Permit Officer's report: Motion to accept as submitted made by J. Yackera, seconded by R. Krick. Vote. All. Motion carried.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by, seconded by . Vote. All. Motion carried.

UNFINISHED BUSINESS

Letters to property owners on West Main Street - C. Marquardt noted that some clean up work was started at the Strong building. There has been nothing done for the last two weeks. Mr. Kilker said he has received no response from the other letters.

Property on the corner of Oak and Second Streets has been cleaned up. The owner is looking to donate this piece of property to the Fire Company.

The list of properties drawn up by M. Brennan has been submitted to the police department for citations. The address for Meredith Rouse was needed. Mayor Kelly said he is looking into the owner of the jeep that was filled with junk.

Question of what is required if a building is torn down immediately adjacent to a standing property. The person was referred to the Zoning offices or the Commissioners office. The O'Neil building on Ogden Street is in limbo pending the answer to these questions.

M. Greco answered the letter concerning the visibility problems with his trees. He is going to have someone come and look and get prices to remedy the situation.

Gilberton/Girardville Police sharing - J. Kilker said he will have a plan ready for next council meeting for consideration. R. Krick asked if Gilberton was willing to pay 1/2 the cost of just investigating this matter? J. Kilker said that he will send them a letter with ideas. It may just be a matter of bargaining for hours or dollars.

SFSP - M.B. Dougherty will check into why a letter has not yet been received concerning last year's audit.

CDBG - Motion to have Entech Engineering submit application for H/P doors and exterior lighting for the gym made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried. M.B. Dougherty suggested we apply for funds for paving streets after the sewer project. Motion to contact Entech and get input on the worth of applying for street upgrades made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried. C. Marquardt said he would contact D. Cuff and possibly have an answer before the GAMA meeting.

NEW BUSINESS

US Bankruptcy Court - notice of a group claim received. This matter was given to the solicitor for his review.

L3P Salt contract - motion to purchase salt from Cargill for \$30.20 @ ton made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Prodesign Plus - bid for \$1200.00 to submit a Keystone Grant application for the West End Park. Motion to apply for a Keystone grant and use Prodesign Plus to submit the application made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Motion to allow the purchase of the lot at 238 B Street for \$675.00 by Ira Huntington made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried.

This information is to be given to the solicitor so the necessary paperwork can be drawn up.

Request from Secretary to send letter of notice of completion of project to RUS and PADOT and close out the account for the Ogden Street Bridge project. Motion to allow made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried.

Request from County for the borough to participate as a drop off point for the annual fall clean up program. Motion to participate made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried.

BILLS

Motion to pay bills as submitted made by J. Yackera, seconded R. Krick. Question? J. Kilker noted there was a billing error and the bill should be \$45.00 less. M.B. Dougherty asked if this was for the minutes faxed by the borough. She did not recall ever recall the solicitor billing for receipt and review of minutes. R. Krick asked about the police uniforms? Is there policy concerning purchase and replacement? Vote. All. Motion carried.

CORRESPONDENCE

Letters from Mr. & Mrs. Vince Brennan and Mr. & Mrs. Roy Weikel stating their interest in purchase of the properties next to their homes where the demolition project has left vacant lots. This matter was tabled.

Mr. Kilker is waiting an answer from the railroad concerning the request for insurance of the property of West Main Street.

Schuylkill County Court House - notice of cost overrun of \$775.00 for asbestos removal. Motion to pay this cost made by J. Yackera, seconded R. Krick. Question? None. Vote. All. Motion carried.

PP&L - form letters asking for permission for release of customer information. Motion to not allow borough electrical usage to be released made by M.B. Dougherty, seconded R. Krick. Question? None. Vote. All. Motion carried.

MICSinc - Letter recommending that the borough seriously consider obtaining an internet access. Motion to authorize any needed upgrades and gets price estimates for internet hookup made by M.B. Dougherty, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Ryan Township, Champ Holman - thank you for borough's participation in the COG meeting. Next meeting September 29th.

Girl Scouts - letter requesting permission for use of building reorganization meeting on September 14 th from 6:00 - 8:00 PM and possible use of building on Tuesday evenings for meetings. Motion to allow the girl scouts use of the building made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Capitol Blue Cross - new rate information given to budget committee

Schuylkill County - received recycling grant in amount of \$212.57

Office of Solid Waste Management - notice that Girardville will be a permanent site for recycling starting in October/November.

County Commissioners - notice of 2000 demolition program. Deadline for participation is November 1, 1999. Motion to send the required information for participation made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried. If necessary Council will hold an emergency meeting after getting cost estimates on proposed properties to be torn down.

Ashland Library - letter requesting donation consideration during budget discussion.

Schuylkill County Court - Court Order in the Yagielinski matter.

DCED - finalized copy of \$5,000.00 grant used to fence basketball courts.

COMMITTEE REPORTS

School: The floor is to be done over the Thanksgiving holiday. Mayor Kelly is expecting to hear soon about dates for the prisoners to come and paint the gym. Oil delivery for the big tank done.

Finance: Budget meeting, September 20, 1999 at 7:00 PM. Projected costs for next year requested from Solicitor.

Streets: Meeting to be set and then posted.

OTHER BUSINESS

J. Kilker reported that the demolition of the properties on West Mahanoy Avenue should begin within the next week or two.

J. Yagielinski was found in contempt of court and ordered to pay \$500.00. Mayor Kelly asked if the last \$500.00 was paid. Mr. Kilker answered no.

A letter was sent in response to the request from the Reading, Blue Mountain Railroad. C. Marquardt instructed Mr. Kilker to get an answer from the Railroad and also Gilberton

50
Borough on the matter of the possibility of combining police departments.

Mr. Kilker will investigate the class action suit information received.

C. Marquardt announced that the October council meeting will be changed from Thursday, October 14, 1999, to Wednesday, October 13, 1999 at 7:00 PM. Motion to advertise this change made by M.B. Dougherty, seconded R. Krick. Question? None. Vote. All. Motion carried.

R. Krick announced that the Mahanoy Creek Watershed Association will be starting a water quality monitoring program. He reminded residents not to throw trash in the creek.

A motion was made to get cost estimates on tearing down a property on East Mahanoy Avenue. After some debate on the needed actions to acquire the property the motion was withdrawn.

PUBLIC COMMENT

No comments at this time.

Motion to adjourn made by R. Krick, seconded J. Yackera. Vote. All. Motion carried.

Respectfully submitted
Mary Ambrose
Secretary

51

BOROUGH OF GIRARDVILLE

FOURTH & "B" STREETS

P.O. BOX 5

GIRARDVILLE, PA 17935

PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

Joint Meeting with Girardville Area Municipal Authority

PLACE: Municipal Bldg. DATE: October 13, 1999 TIME: 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, R. Krick, C. Marquardt, J. Tinari
Mayor J. Kelly, Solicitor J. Kilker

Members absent: J. Yackera.

PUBLIC COMMENT

Mr. Thomas Flannery asked Council once again if they had a written response prepared to his letter dated May 1999. A written response was promised in June or July. Mayor Kelly told Mr. Flannery that the police committee had an investigation and found no charges warranted. Mr. Flannery requested that in writing. Mr. Flannery asked if Mr. Kessler is employed by the Borough. Mayor Kelly answered he was not now employed by the Borough. Mr. Flannery asked if M. Kessler was employed by the borough on, October 6, 1999. Mr. Kelly told Mr. Flannery that until M. Kessler hands in his resignation he is still employed. Mr. Kilker said that M. Kessler was at the hearing on behalf of the borough. Mr. Flannery noted that M. Kessler testified that the borough employed him on that day. The question of how many hearings M. Kessler missed was raised. The Mayor said that information was not his business. Mr. Flannery said that is public information and he will have his lawyer subpoena these records. Mr. Flannery wanted to know what kind of investigation was done and who sits on the police committee. Members of the committee are J. Yackera, J. Tinari, J. Haluska. He made it clear that he wanted these answers before the election. He has several papers interested and said that the taxpayers have a right to be aware of what is going on with our police department. Mr. Kilker informed Mr. Flannery that a letter would be forthcoming. Whether or not it was done before election day would depend on his time being available. Mr. Flannery stated the

52

M. Kessler called the Department of Environmental Protection office of District Mining. He wanted to know if any one present was aware of this call. All member present denied knowing anything about such a call being place.

Joint meeting with Girardville Area Sewer Authority opened. GAMA Chairman, T. Yesalavage opened the Authority's meeting.

Mr. Jens Damgarrrd, Rhodes & Sinon, Bonding Attorney took the floor. He went over the various ordinances Council needed to pass. All the following have been advertised as required by law.

Ordinance 99-5 – Authorizing Bank Loan. Motion to enact as presented made by R. Krick, seconded J. Tinari. No Question. Roll call vote:

M.B. Dougherty	Yes	J. Haluska	Yes
R. Krick	Yes	C. Marquardt	Yes
J. Tinari	Yes		

Motion passed. Ordinance adopted.

Ordinance 99-6 - Mandatory Connection Ordinance Motion to enact as presented made by J. Tinari, seconded R. Krick. J. Kilker asked if GAMA has the authority to enforce this. He was told GAMA would request prosecution and the Borough would act. Roll call vote:

M.B. Dougherty	Yes	J. Haluska	Yes
R. Krick	Yes	C. Marquardt	Yes
J. Tinari	Yes		

Motion passed. Ordinance adopted.

Ordinance 99-7 - Rights of way for Construction and Maintenance. Motion to enact as presented made by R. Krick, seconded M.B. Dougherty. No Question. Roll call vote:

M.B. Dougherty	Yes	J. Haluska	Yes
R. Krick	Yes	C. Marquardt	Yes
J. Tinari	Yes		

Motion passed. Ordinance adopted.

Ordinance 99-8 - Agreement with Authority. Motion to enact as presented made by R. Krick, seconded J. Haluska . No question. Roll call vote:

M.B. Dougherty	Yes	J. Haluska	Yes
R. Krick	Yes	C. Marquardt	Yes
J. Tinari	Yes		

Motion passed. Ordinance adopted.

2

53

Members of GAMA moved to the adjacent meeting room to continue with their business.

R. Krick asked if the final numbers stood at a cost of \$32.00 per month service charge?
D. Cuff, Entech Engineering said yes.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Permit Officer's report: Motion to accept as submitted made by J. Haluska, seconded by J. Tinari. Vote. All. Motion carried.

Mayor's report: Read by Mayor J. Kelly. Motion to accept as read made by J. Haluska, seconded by J. Tinari. Question? R. Krick said that we have been through this before but where are the hearings missed listed? J. Kelly said he would call the magistrate's office and get the information. M.B. Dougherty noted that copies of final disposition should be on file. How can council approve an incomplete report? She then asked what is a "phone assignment". Mayor Kelly told her that is any an all actions taken over the phone. After some debate J. Haluska amended her motion to add the additional requested information; hearings scheduled, hearings missed, hearings attended. Vote. Roll Call requested. M.B. Dougherty, NO J. Haluska, YES R. Krick, NO C. Marquardt, YES J. Tinari, YES. Motion carried. M.B. Dougherty asked that is be put on the record that the vote was to pass an incomplete report.

The Good Time Club asked permission to hold the annual Halloween parade on, Sunday, October 31, 1999 at 2:00 PM. The parade will begin at Main and Julia Streets. Motion to allow the parade made by J. Tinari, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Motion to hold Trick or Treat night on, Sunday, October 31, 1999, from 6:00 – 8:00 PM made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried. Mayor Kelly told Council he will make arrangements to have the Fire Police out during those hours. Residents interested in participating should turn on their porch lights.

Meetings: Fire Police - November 9, 1999 at 6:30 PM
Police Committee - date to be set

UNFINISHED BUSINESS

Blue Mountain and Reading Railroad - Letter received stating that repairs to the property on East Main Street will be done in the spring. This is thanks to the efforts of Champ

54
Holman, through Senator James Rhoads' office. C. Marquardt thanked Mr. Holman and the Senator for their efforts on the Borough's behalf.

Internet connection - information from the two companies available with local connections were presented to Council. Motion to go with Prolog for the Borough's internet connection made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Request for handicapped swing - this matter was tabled until the spring. At this point if the equipment is ordered it will not arrive in time to be installed this year.

Police sharing agreement with Gilberton - Solicitor J. Kilker presented a draft agreement based on a similar agreement used by Branch and Reilly Townships. The general consensus of council is to plan to have this agreement in place for 2000. A copy should be given to Gilberton's solicitor and a meeting with members of their council scheduled. Mr. Kilker will take care of these arrangements.

The question of M. Kessler's status was raised at this point. R. Krick asked if he is on the schedule. Mayor Kelly said no he is not on the schedule. C. Marquardt said he is finishing up his hearings and will turn in his resignation when completed. Motion to send M. Kessler a letter stating that Council is accepting his resignation made by M.B. Dougherty, seconded R. Krick. No Question. Vote. All. Motion accepted.

Motion to advertise for part-time police officers made by J. Haluska, seconded J. Tinari. Question? M.B. Dougherty suggested adding that salary will be based on experience. Deadline to be, November 9, 1999 for review for interviews. Vote. All. Motion carried.

Department of Environmental Protection - question of requesting PADOT use something other than fly ash for anti-skid material in the Borough limits. Table.

NEW BUSINESS

Schuylkill County Demolition Program - Letter from Dan Grow requesting additional funds for asbestos removal for the West Mahanoy Avenue project. This will be approximately \$300.00. Motion to expend the necessary funds for asbestos removal made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Make A Difference Day - Letter from Mrs. Mary Pontician, Immaculate Heart Elementary School. The 1st grade class is looking for a project and are requesting permission to stage a clean up of the C Street Park. This would be done on Saturday, October 23, 1999. Motion to allow this project made by J. Tinari, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

55
Vytas Ambrose submitted a request to allow him to use the borough truck to haul away the leaves and limbs that would be cleaned up. He is going to donate his time to assist in any way he can. Motion to allow use of the borough truck made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Gym floor - Cost will be \$700.00 and is scheduled for Thanksgiving weekend. Biddy Basketball has offered to donate \$200.00 toward this expense. Motion to proceed with having the floor done made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Question raised by a resident who wished to put pens in his yard for rabbits and pheasants. It was suggested that this matter be sent to zoning. Originally the resident planned to raise and sell the animals. Now he has informed council that the animals he keeps will be for his own personal use and will not be bred. Motion to send this question to the Zoning Board made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Information on Geisinger Health plans was received. This matter is to be handled by the budget committee. Budget Committee meeting, Monday, October 25, 1999, 7:00 PM.

Vytas Ambrose requested permission to dig on Ogden Street right off Richard Street to replace a main sewer line. This line has experienced several blockages. Motion to allow this section of main line to be replaced made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Resolution 99-3 Elimination of annual contribution to Police Pension fund. Motion to adopt made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Resolution 99-4 CDBG Paving application. Motion to adopt made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Resolution 99-5 CDBG School building handicapp door application. Motion to adopt made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried.

CORRESPONDENCE

Notice from the County concerning the fall clean up. Notices will be published in the local paper. Dumpsters scheduled for the Borough from October 21 - 23, 1999.

COMMITTEE REPORTS

School: The prisoners are set to come and paint the gym. Evans will be giving and estimate of supplying the paint at cost. Biddy Basketball is looking into having the walls repaired where needed. It was requested that another set of scaffolding be made available do to safety concerns. Motion to give any necessary supplies to have the prisoners paint the gym made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Finance: Budget committee meeting set for October 25, 1999 at 7:00 PM

Recreation: Public hearing scheduled for tonight concerning Keystone grant application.

Police: Date of committee meeting to be decided. Need to draft letter to answer Mr. Flannery.

OTHER BUSINESS

Demolition - Motion to submit letter for consideration in next years County Demolition program made by J. Tinari, seconded J. Haluska. Question ? None. Vote. All. Motion carried.

Concerns about visibility for traffic pulling out at the intersection of Main and Second Streets prompted discussion of ways to eliminate the problem. Motion to install No parking here to corner signs and paint the curbing yellow on the east side of Second Street between Main and Oak Streets made by R. Krick, seconded J. Tinari. Question? None. Vote. All. Motion carried.

PUBLIC COMMENT

D. Kelly approached council about recent articles in the paper showing other municipalities using defiant trespass as a way to remove loitering teens and others from local streets. He wondered why this borough doesn't follow suit. He noted that if the kids are chased they are back in five (5) minutes. A motion was made to have the officers remove people from the corners including Churches. They are to be chased the first time and if needed to be removed a second time, cited. All incidents to be logged. R. Krick said that a motion in this matter should not be needed. The police should be doing their job without Council's needing to take action. ++++++

As there was no further business or public comment at this time C. Marquardt opened the public hearing for the Recreation Grant.

PUBLIC HEARING

GRANT FOR WEST END PLAYGROUND

The hearing was opened immediately preceding the adjournment of the regular monthly Council meeting. Council President Charles A. Marquardt opened the floor for general discussion.

C. Marquardt informed those attending about the details of the Keystone Recreation grant application. He explained that these grants are very competitive and if awarded the money can be used only for the purchase of the requested equipment. Labor and all other costs incurred are the Borough's responsibility. It was the general consensus of those attending that the West End Playground definitely needs major upgrading. The East End Playground project has been a major success and it is now time to begin working on other areas.

Council has decided upon a four-phase plan. A blue print of what the park will look like after all phases have been implemented was available for public viewing. Several people, after looking over the plans, remarked that it would be wonderful to see the park redone.

Offers of assistance with the installation of equipment have already been received. As there are several groups and businesses that offered very generous support to the last project, Council decided to send letters once again requesting assistance.

Motion to adjourn the entire meeting made by J. Tinari, seconded J. Haluska. Motion carried.

Respectfully submitted
Mary Ambrose
Secretary/Treasurer

58

October 13, 1999 Joint Meeting

AGENDA

BOROUGH OF GIRARDVILLE, Schuylkill County, Pennsylvania

Ordinances to be enacted:

1. Approving guaranty of Bank loan
2. Mandating connection to the sewer system
3. Granting the Authority sewer rights of way in Borough streets
4. Approving an Agreement with the Authority (authorizing it to own and operate the sewer system)

Documents Approved in Ordinances:

1. Guaranty Agreement (with Bank)
2. Agreement (with Authority)

GIRARDVILLE AREA MUNICIPAL AUTHORITY

Resolutions to be adopted:

1. Approving Bank Loan with Community Banks (two Notes), based on competitive proposal received
2. Authorizing an Agreement with the Borough (similar to Agreement with Butler Township) authorizing Authority to own and operate sewer system
3. Authorizing future RUS loan (two RUS form resolutions, one for each Note based on federal fiscal years)
4. Sewer rate resolution
5. Tapping fee resolution
6. Adopting environmental impact mitigation measures

Documents approved in Resolutions:

1. Guaranty Agreement with Borough and Bank
2. Bank Loan Agreement
3. Agreement with Borough

59

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** November 11, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, C. Marquardt, R. Krick, J. Tinari,
J. Yackera. Mayor J. Kelly.

Members absent: Solicitor J. Kilker (death in family)

PUBLIC COMMENT

Mr. M. Ritro asked if the Mayor would please check out two cars in a carport on Preston Avenue. These vehicles used to be tarped but now the tarps are ripped off and there is garbage around. It looks like a junkyard. Mayor Kelly told him that someone would be sent down to look at this situation.

Reports of a car on John Street, illegally parked without license or inspection. J. Yackera said that this vehicle would be removed tonight.

Mr. J. Charetti asked what was the disposition of the property at 338 West Main Street? He was told by C. Marquardt that the owner had been cited and that this matter will most likely end up before the magistrate. J. Yackera said that Mr. Kilker would most likely advise that a civil suit be filed. Mayor Kelly is to check the status of the citations and contact Mr. Charetti to keep him informed.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Haluska, seconded by J. Tinari. Question? J. Yackera questioned Council's acceptance of a resignation that was never tendered. Note was made of M.B. Dougherty's motion as recorded in the minutes. M.B. Dougherty said that the motion was incomplete as recorded. Motion to amend the minutes to correctly show the motion made by R. Krick, seconded M.B. Dougherty. Roll call vote requested by J. Yackera.

62

M.B. Dougherty	YES	J. Tinari	NO
J. Haluska	NO	J. Yackera	NO
C. Marquardt	NO		
R. Krick	YES		

Motion to amend failed.

R. Krick then asked if Mark Kessler is still a cop? J. Yackera answered yes he is. M.B. Dougherty noted that she could not believe that you throw your keys at the Mayor and that is not considered resigning. C. Marquardt called for a vote on the motion still on the floor for the approval of the minutes as submitted. M.B. Dougherty asked if the requested information for missed hearings from previous months had been submitted? Mayor J. Kelly told her it had not been submitted. R. Krick asked for a list of hearings missed for the entire year. This information is supposed to be on each months police report. M.B. Dougherty noted that Mr. T. Flannery requested a response to a letter sent from his attorney on his behalf. He was told it would be responded to. J. Yackera said that the Police committee did not agreed to answering the letter. At this time C. Marquardt read a note from J. Kilker. The letter was agreed to but he could not attend to it due to personal circumstances. Mr. Kilker believes that Mark Kessler is still on the force. Vote called for again. Opposed M.B. Dougherty and R. Krick. Motion carried.

Treasurer's report: Motion to accept the report as read made by J. Haluska, seconded by J. Yackera. Vote. All. Motion carried.

Tax Collector's report: Motion to accept report as submitted and to pay the tax collector made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

Mayor's report: Read by J. Kelly.. Motion to accept as read made by J. Yackera, seconded by J. Tinari. Vote. All. Motion carried.

M.B. Dougherty noted that in the process of doing some research on the internet she came across a report that the Girardville Police Pension fund had to pay back money to the Auditor General's office. This occurred in August 1998. Last summer the ordinance was changed due to recommendations of the Auditor's office as a result of audit findings but to her recollection this matter was never brought up before Council for discussion. R. Krick said that someone should look into this. C. Marquardt instructed J. Tinari to get a copy of this press release and investigate.

R. Krick asked how Council wants formal complaints against police officers? Should it be in writing or how? J. Yackera said that Council could hold an executive session to discuss any personnel complaints or it could be submitted in writing. C. Marquardt said that Council would go into Executive session before the end of this meeting.

Permit Officer's report: Motion to accept as submitted made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

Health Officer's report: No report submitted.

UNFINISHED BUSINESS

Motion to send letter to the Weikels and the Brennans concerning their request to be considered when the properties that have recently been demolished are to be sold. This letter to inform each of the requirements of an appraisal and all attendant costs being their responsibilities made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

PADOT - letter concerning possibly requesting non usage of fly ash on borough streets. Motion for such a letter to be sent made by J. Yackera. After debate and no action J. Yackera rescinded his motion.

NEW BUSINESS

Joint police agreement with Gilberton - Motion to advertise the ordinance as is for approval in December made by J. Yackera, seconded J. Tinari. Question? None. Vote. All. Motion carried.

Motion to adopt and advertise tentative 2000 budget as presented made by J. Yackera, seconded J. Haluska. Question? R. Krick said he had been approached concerning the Fire Chief becoming a paid position. This would be an additional expense of \$365.00 per year or \$1.00 per day. This is not something that should just be thrown out on the table and approved without some investigation. J. Yackera said that other municipalities pay their Fire Chiefs. This matter will be discussed at the next budget meeting. Vote. All. Motion carried.

M.B. Dougherty noted that if formed the COG will have annual dues. No formula has been formalized as of yet. A line item will have to be put into this budget to cover the dues for next year.

Budget Committee meeting - Tuesday, November 18, 1999, 7:00 PM
Police Committee meeting to follow immediately.

BILLS

List of bills to be paid read by C. Marquardt. Motion to pay the bills as submitted made by J. Yackera, seconded J. Tinari. Question? None. Vote. All. Motion carried.

CORRESPONDENCE

Donna St. Clair submitted a letter to Council asking permission to set up a collection program called "Pennies for Play". This will consist of setting canisters on the counters at various businesses around town and money collected can be used toward playground improvements. Motion to allow this program made by J. Tinari, seconded J. Haluska. Question? None. Vote. All. Motion carried. Both M.B. Dougherty and J. Haluska will

assist in any way they can.

Entech Engineering - Pre construction conference for the sewer project will be held this month.

Bell Atlantic - Discount program. This is to be investigated.

HA Thompson - bonding information. The matter of the Secretary/Treasurer's bond was discussed. Motion to look into raising the bond and possible purchasing a stacked bond made by R. Krick, seconded M.B. Dougherty. Question? None. Vote. All. Motion carried.

Consumers PA Water Company - notice received no rate increase for this year.

Schuylkill County Firefighters - letter soliciting financial support for County fire school. Tabled for budget meeting.

COMMITTEE REPORTS

School: R. Krick noted that additional paint may be needed to complete the gym. Motion to allow purchase of additional paint up to the amount of \$50.00 made by R. Krick, seconded J. Yackera. Question? None. Vote. All. Motion carried. M.B. Dougherty asked that since the prisoners were finished who would complete the painting? R. Krick told her volunteers.

C. Marquardt asked the Mayor about sending a thank you note to the Prison Board. Mayor Kelly suggested waiting as he was looking into having them coming back to finish up some of the brush trimming.

Recreation: Grant has been submitted for reimbursement.

Streets: Request to purchase bagged salt for the small spreader. Motion to purchase bagged salt from Lindenmuth Lumber made by J. Tinari, seconded J. Yackera. Question? None. Vote. All. Motion carried.

Police: Due to budget allowances motion to raise the police officers pay to \$8.00 per hour starting next pay period and advertise for a part time officer with starting salary of \$8.00 made by J. Yackera, seconded J. Tinari. Question? M.B. Dougherty asked if any checking had been done on the person that she had mentioned? C. Marquardt said these rumors should be discussed in Executive session.

Judith Haluska left the meeting at this time, 8:20 PM.

J. Yackera amended his motion so that the advertisement would only be placed pending the outcome of the committee meeting on the November 16th. Vote. All. Motion carried.

63

J. Yackera made a motion to rescind the acceptance of the resignation of Officer M. Kessler, seconded J. Tinari. Question? R. Krick said he wants a legal opinion on how to rescind acceptance of resignation. There was debate over what was recorded in the minutes and the fact that the minutes were not amended. J. Yackera said he asked the solicitor and was informed that you can over turn at each meeting. M.B. Dougherty questioned again what was in the minutes and that her motion was not recorded verbatim. There was a letter that was to be sent. The Secretary informed Council that due to her oversight the letter was not sent to Mr. Kessler as instructed at the last meeting. Vote called. M.B. Dougherty and R. Krick voted NO. There was debate over what happened at last month's meetings and what was the general understanding of the outcome. The general consensus that M. Kessler quit. The motion carried. J. Yackera cited precedent of both D. Hess and A. Beneshunas having quit and no action being taken on this.

Recycling: Schuylkill County Fall clean up program resulted in a total of \$663.00 collected. This amount is divided between the County and the municipalities that participated.

A grant for calendars using a recycling theme has been applied for through a joint effort with Mahanoy City. If awarded the calendars will be for the year 2000.

At this time Council went into Executive session to discuss personnel matters.

Council reconvened at 8:50 PM.

C. Marquardt noted that the matter discussed will be tabled pending the police committee meeting of November 16, 1999.

Mr. Kilker's rates for next year will be \$75.00 per hour.

Motion to adjourn made by J. Tinari, seconded J. Yackera. Vote. All. Motion carried.

Respectfully submitted
Mary Ambrose
Secretary

64

BOROUGH OF GIRARDVILLE
FOURTH & "B" STREETS
P.O. BOX 5
GIRARDVILLE, PA 17935
PHONE: (570) 276-1635 FAX: (570) 276-1640

Regular Meeting

PLACE: Municipal Bldg. **DATE:** December 9, 1999 **TIME:** 7:00 PM

OPEN MEETING

Meeting opened with the Pledge of Allegiance led by Council President C. Marquardt.

ROLL CALL

Members present: M.B. Dougherty, J. Haluska, C. Marquardt, J. Yackera
Mayor J. Kelly, Solicitor J. Kilker
Late Arrivals: J. Tinari, 7:50 PM
Members absent: R. Krick

PUBLIC COMMENT

Mr. Thomas Flannery said that upon purchasing a building permit he was told that anyone hired to do work in the borough needed to have liability insurance. He asked C. Marquardt where his liability insurance policy was? C. Marquardt said that any contractor who has employees must have liability insurance. C. Marquardt said he has no one working for him and has no need to carry insurance. T. Flannery also complained about drinking and drug dealing across from his home. Nothing is being done about these problems. He suggested that council members get in their cars and see what is going on around town. J. Yackera asked if Mr. Flannery did this and suggested he make phone calls to the police. He asked Mayor Kelly if he was familiar with the police tenure act. J. Yackera informed T. Flannery that these matters should be discussed at a Police committee meeting. Upon being asked when that would be, J. Yackera said one could be scheduled at T. Flannery's convenience. Flannery noted that his attorney would be present as well.

Lack of response to his letter of May 1999 was again questioned. He said he understood that J. Yackera and J. Tinari did the investigation and there were no findings. He questioned both council members expertise to investigate such a matter. The complaint made to J. Yackera concerned Flannery's being arrested by Officer Kessler. J. Yackera answered that he listened to both stories but is not a judge. Flannery went on to note allegations of fabrication of charges. Accusations of perjury and falsification were levied.

65

J. Yackera noted that this would be a matter for law enforcement, perhaps the State Police or the Attorney General's office. This was directed to me as Chairman of the police committee and I am admittedly not qualified to investigate this. Mr. Kilker stated that the letter did not request an answer. T. Flannery noted that Mayor Kelly guaranteed a written response. J. Kilker said that he would contact Attorney E. Brennan tomorrow and get something in writing.

E. Ketusky asked how long does it take to open a storm drain? It has been blocked for seven (7) years. V. Ambrose noted that the drain in question was opened two (2) months ago.

M. Ritro asked if there had been any progress on the his complaint concerning the cars? It was reported by Ofcr. M. Kessler that the vehicles in question are tarped. He did not enter the property. Mayor Kelly informed M. Ritro that this matter has been turned over to the health officer.

J. Charetti asked if there has been any action concerning the property on West Main Street? Mayor Kelly said that citations had been sent out and the matter will be before the magistrate. A hearing date has to be set. Ofcr. Kessler noted that hearings are usually arranged within ten (10) days. J. Charetti went on to note that there are a lot of people not taking care of their properties. Why aren't ordinances created to enforce these things? J. Kilker noted that state law will now require all municipalities to enforce the BOCA codes. Ordinances will have to be passed.

J. Salukas asked why the fire siren does not blow at night for fires? J. Yackera informed him that Schuylkill County control blows the siren for all structure fires. The only time the siren is not blown is for brush fires and automobile accidents or if there is mechanical difficulty with the siren itself. J. Salukas said he was told that all the firefighters have pagers and the siren will not be blown for house fires. J. Yackera said that he would contact Frank Zangari and have a letter written and sent to Mr. Salukas if he wished or he could contact County Control and request information on their siren policy. This information is readily available at anyone's request.

Census representative, Mr. Bill Thomas, was given the floor at this time. Mr. Thomas addressed council and the residents present concerning jobs available working for the Census Bureau. Information will be available in the office and locally. The enumerator's positions are paying between \$11.00 and \$12.50 per hour and \$0.31 per mile. Mr. Kilker asked if the jobs are full time. Mr. Thomas said that ideally they are but if someone has 10 – 20 hour per week available they are willing to hire on that basis. C. Marquardt thanked him for his time.

APPROVAL OF REPORTS

Minutes: Motion to accept the minutes as submitted made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

b/p

Treasurer's report: Motion to accept the report as read made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

Mayor's report: Read by Officer M. Kessler. Motion to accept as read made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried. Amendments to the 12/9/99 police report brought to the floor. Motion to accept the amended police report made by J. Yackera. M.B. Dougherty noted that this was already voted upon. A decision was made to accept inaccurate information. J. Yackera withdrew his motion.

Permit Officer's report: Motion to accept as submitted and to pay the permit officer made by J. Yackera, seconded by J. Haluska. Vote. All. Motion carried.

Health Officer's report: Read by C. Marquardt. Motion to accept the report as submitted made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

UNFINISHED BUSINESS

C. Marquardt asked about the property on B Street. J. Kilker reported that the original conveying was not recorded although there are notations in mapping. Any deed issued would be subject to the flaw of not being properly recorded. Mr. Huntington could file for quiet title action. Will contact him tomorrow. This seems to be satisfactory to him. M.B. Dougherty asked what happened with the outcome of the footage question. J. Kilker said that the information provided at time of purchase was 15 feet. The question arises over the original deed being 30 feet. The fence in back 5 feet off the road. M.B. Dougherty asked about the right of ways? J. Kilker said that use for over 21 years falls under right of way. I. Huntington took a risk in building the fence without a permit and a recorded deed. M.B. Dougherty noted that the safest thing to do is to get this matter ironed out as soon as possible. J. Kilker said he will report further details as they develop.

NEW BUSINESS

Ordinance 99-5, setting the 2000 Tax Levy at 6.2 mills. Motion to adopt 99-5 made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

Motion to adopt the 2000 budget as advertised made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

Ordinance 99-6, Joint Police agreement with Gilberton Borough. Motion to adopt 99-6 made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried. Gilberton is in the process of advertising this ordinance.

GAMA appointments - Motion to reappoint Thomas Yesalavage and Charles Bann for terms of five (5) years made by M.B. Dougherty, seconded J. Haluska. Question?

67

J. Yackera asked if these openings have been advertised? He was told that policy has been the positions are not advertised if the person currently holding the seat wishes to retain it and Council approves. Vote. All. Motion carried.

Motion to hire David M. Kufro to fill the part time police officer position if he meets all the requirements made by J. Yackera, seconded J. Haluska. Question? M.B. Dougherty asked what the starting rate would be? C. Marquardt answered, \$8.00. Vote. All. Motion carried.

Motion to allow purchase of one (1) uniform shirt and one (1) pair of pants for D. Kufro. With the stipulation he qualify, if he leaves before 6 months he pays half the cost if he leaves before that time he pays full cost. Motion made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

J. Yackera noted a request to appoint a Borough Fire Chief. This position would be annually renewable by Council with remuneration in the amount of \$1.00 per day. The Fire Chief would appoint two (2) assistants who will also be trained to perform the same duties. The person appointed to this position would be responsible for enforcement of BOCA codes and making quarterly reports to the Council (see agreement on file). Motion to appoint Frank Zangari to the position of Fire Chief for the year 2000 being paid in the amount of \$1.00 per day made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Motion that the Fire Chief's salary be decided annually made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

Request from the Ashland Cub Scouts to use the Borough Hall for their annual Pinewood Derby. January 15, 2000, with a secondary date of, January 22, 2000. Motion to allow the Scouts to use the Borough Hall on whichever date in January 2000 is needed made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Joseph Tinari arrived at this point in the meeting, 7:50 PM

Request from Rev. Priest for traffic control for the annual Horse trolley caroling. Motion to allow and have the Mayor arrange traffic control made by J. Yackera, seconded J. Haluska. Question? None. Vote. All. Motion carried.

Council passed on to Mr. Kilker sample ordinance regulating vehicle repairs on borough streets. Recommendations and an ordinance to consider for advertising to be available next regular meeting.

From the floor Mr. J. Charetti asked how many employees are on the borough payroll that are not on Council? He was told that number stands at 6 or 7 employees at any given time. He noted that a position was just created, expending borough funds, with no means of accountability. J. Kilker noted that the means are included in the contract that will

68
have to be signed. J. Yackera noted that if the required reports are not submitted then payment of the salary could be withheld.

From the floor E. Ketusky asked if GAMA has the same type of rules governing them? If there were some type of screw up could council step in? M.B. Dougherty asked who can dissolve the Authority? J. Kilker said that Council has the ultimate power. The Authority depends upon Council for right to act.

Motion to purchase one (1) set of each of the three (3) recommend BOCA code books made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

The Reorganization meeting will be held on, January 3, 2000, at 7:00 PM. Motion to advertise this meeting made by M.B. Dougherty, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

Regular meeting schedule for 2000 will be the second Thursday of each month with the work sessions the preceding Tuesday. Motion to advertise as such made by J. Yackera, seconded by J. Haluska. Question? None. Vote. All. Motion carried.

BILLS

List of bills to be paid read by C. Marquardt. Additions to the list are Ashland Library, \$100.00 donation and Mr. Kilker's bill is amended to \$105.00. Question?

M.B. Dougherty noted that a donation to the County fire school was discussed. She was informed that it was included in the list. Vote. All. Motion carried.

CORRESPONDENCE

J. Kilker - notice that our check to the Recorded of Deeds needed to be reissued in the amount of \$32.00.

Ryan Twp - due to the holiday the COG's meeting will be rescheduled for a date in January.

DCED - New tax collector's reporting forms. This matter has been given to E. Dougherty for consideration and answer.

VISION - meeting schedule.

Mahanoy City - Notice that the joint recycling grant to purchase two (2) leaf vacs has been awarded. This grant will be in the amount of \$89,532.00. Included in this is the printing of Recycling calendars for distribution to Borough residents.

SFSP - Program participation. M.B. Dougherty suggested speaking to Ashland or

69
Gilberton and discussing a joint program. We would still be required to hire someone.
Motion to advertise the position made by J. Yackera, seconded by J. Haluska. Question?
None. Vote. All. Motion carried.

Classes - scheduled classes available

Census - information concerning jobs available.

COMMITTEE REPORTS

School: None

Finance: None

Recreation: None

Streets: The sewer project begins construction of Monday.

Police: None

Recycling: None

Motion to transfer money as required from the General Fund to the School Fund made by
J. Yackera, seconded by J. Tinari. Question? None. Vote. All. Motion carried.

Motion to adjourn made by J. Yackera, seconded by J. Tinari. Vote. All.

Respectfully submitted
Mary Ambrose
Secretary/Treasurer