

The regular meeting of the Council of the Borough of Minersville was held at 7:00 P.M., September 11, 2007 in the Council Chambers, North Delaware Avenue and East Carbon Street.

Mrs. Helen Droskinis presided and opened the meeting with the Flag ceremony.

**ATTENDANCE:**

The following Council members attended: Mrs. Helen Droskinis, President; Mr. Joseph Post, Vice-President; Mr. Keith Adams; Mr. William Angelo; Mr. James Kimmel; Mr. Jamie Kuehn; Mr. Walter Miscavage; Nicole Davis, Junior Council Person; Mayor David Dutcavich; Solicitor Albert Evans; Norman Woodford, Treasurer; and Megan Paul, Secretary. Also attending were Scott Graver, Infrastructure Manager; Police Chief Robert Bergan, members of the Civil Service Commission, Mr. Paul Vuksta; Mr. Carl McBreen; and Mrs. Virginia Burns.

Seven Council members were present, which constituted a quorum.

A motion to accept August's Secretary Minutes was made by Mr. Miscavage and seconded by Mr. Angelo. Motion passed as presented.

**VISITORS:**

Ms. Ruthann Kulikosky, 591 Sunbury Street, stated she could not park in front of her home for three weeks because of the construction. Also, construction workers are leaving debris on her property. Mr. Graver stated he will take to the construction company at the next progress meeting.

Ms. Kulikosky also stated the traffic light at Sixth Street needs to be monitored more because people are running the light. Chief Bergan stated in the August monthly report there were 73 traffic violations. Chief Bergan stated there are 200 stop signs, 6 traffic lights and mostly one officer on duty at a time. Mrs. Droskinis questioned if there is a specific time Ms. Kulikosky notices vehicles running the light. Ms. Kulikosky stated today it was around 3:30 p.m. Chief Bergan stated he will have the 3 to 11 officer patrol the area more.

Ms. Karin Heffron, 103 Spruce Street, questioned whether Council has a solution for the problem with the driveway next to her home. Solicitor Evans stated he went to the area with Mr. Graver. Solicitor Evans stated the driveway is not borough property so the Borough is limited in what they can do. Solicitor Evans recommends getting the property surveyed so the property lines between neighbors can be established. If Mr. Gabardi does not own the property, he could not exclude Ms. Heffron from use. Solicitor Evans stated the Borough can only make decisions on their own property. A judge can grant easement rights for private properties. Ms. Heffron questioned who would be responsible if a person falls off the wall built. Solicitor Evans stated the liability would fall to the person who built the wall. Ms. Heffron questioned how squatting rights work. Solicitor Evans stated a person has to have 21 years of continuous usage. Ms. Heffron then asked if a sign can be put up to slow traffic down. Solicitor Evans stated to place a sign it would have to meet PennDOT qualifications and he would have to check to see if a deadend street would qualify.

Mr. Jeffery Rinaldo, 147 Lewis Street, questioned when the project will start regarding the street collapse in front of his home. Mr. Rinaldo stated water and sewage has been backing up into his home and three others when it rains. It has caused property damage.

Mr. Rinaldo also stated the property next to him, 140 -142 Sunbury Street, in the rear is in disrepair. The sidewalk has sunk, there are code violations, and he believes people are living in the property at night. Council stated they will check with Mr. Bainbridge to discuss violations and to find out if the property has been posted as unfit for human habitation. Council informed Mr. Rinaldo the contract for the tunnel project should be awarded on Thursday.

Mr. Michael and Michelle D'Agostino, 141 Lewis Street, inquired who is responsible for damages to their properties during construction. Mr. Graver stated pre-construction video is done on the outside of the homes. Mr. Miscavage stated he is taking pictures of his walls, doorjams and windows prior to construction. Mr. Graver stated new sidewalks, curbs, storm inlets, manholes and cleanouts will be done on the street. During construction there will be pedestrian access to homes but no vehicle access. Mrs. D'Agostino questioned whether the air is hazardous. Mr. Graver stated all precautions were taken to secure the area. Council stated there is a Sewer Authority meeting Thursday at 7:00 p.m. to discuss and award the project.

**COMMITTEES:**

**Streets, Highways & Electric Lights:**

Mrs. Droskinis opened and read the oil quotes for service from October 1, 2007 to September 30, 2008. The quotes were as follows:

Tobash Home Heating Inc. 540 Route 61 South Schuylkill Haven PA 17972	\$2.299 per gallon
Robert E Reedy & Sons Co. PO Box 98 Llewellyn PA 17944	\$2.449 per gallon October – December \$2.539 per gallon January – September Will deliver street price if lower.
Keller Oil Co. PO Box 156 Schuylkill Haven PA 17972	\$2.529 per gallon

Mr. Angelo made a motion to accept the quotes as read and to send to committee to award; seconded by Mr. Miscavage. Motion passed as presented.

Mr. Angelo discussed the possibility of angled parking on North Street on the south side while the construction is being done on Lewis Street. Mr. Miscavage stated Mayor Dutavich has made his lot available for parking during the project. Mr. Graver wanted Council to be aware that there is a warehouse on that block that a tractor-trailer loads and unloads.

Mr. Adams requested a letter be sent to the residents on Lewis Street apprising them of the parking situations. Mr. Graver stated the Sewer Authority is formulating a letter to the residents.

**Fire:**

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

Siren is in and will be wired this week and they are securing a pole. Possible operation by next month.

**Law & Order:**

Mrs. Grace Truscott, 438 Lewis Street, submitted a handicap application to Council. Chief Bergan approved the application. A motion was made by Mr. Kimmel to approve the application; seconded by Mr. Angelo. Motion passed as presented.

Chief Bergan stated the new police vehicle should be operational shortly. Chief Bergan questioned whether Council wanted to advertise the sale of the 1999 Ford. Chief Bergan stated a constable is interested in the vehicle. Council authorized Chief Bergan to advertise the sale of the 1999 Ford.

**Community Development & Public Property:**

Mr. Kuehn stated the Insurance quotes prepared by the Zigmund Company were discussed at the work session. Mr. Kuehn recommends staying with the current carrier of Hauptly Insurance and current provider of National Casualty. Mr. Post made a motion to stay with the current carrier of Hauptly Insurance and current provider of National Casualty; seconded by Mr. Kuehn. Motion passed as presented.

Mr. Hossler, 221 South Street, submitted a driveway application. Mr. Kuehn made a motion to approve the driveway approved by Mr. Bainbridge; seconded by Mr. Angelo. Motion passed as presented.

**Finance & Sanitation:**

The monthly bills were read and signed. Mr. Post made a motion to approve the bills properly signed and pay the bills as presented seconded by Mr. Angelo. Motion passed as presented.

Mr. Post made a motion to approve the Treasurer's Report; seconded by Mr. Adams. Mr. Post stated the expenses exceeded the revenues. Motion passed as presented.

Mr. Post stated the Statement of Revenues and Expenditures Compared to Budget is in Council's packet.

***Water & Sewer:***

Mr. Post stated Council is notifying the Municipal Authority of their opposition to the new proposed Penske project at Highridge. Solicitor Evans is drafting a letter to send to Penske and SEDCO.

Mr. Post stated the sewer separation project is ongoing. Mr. Post stated the contractors on the 500 block of Sunbury Street had everything blocked from Fourth to Sixth Street.

***Personnel:***

Mrs. Droskinis wanted to keep on the agenda for a part-time office clerk.

***Senior Citizens & Recreation:***

The monthly pool report was read. Mr. Adams stated there are improvements to be made. The total attendance for the season was 13,608.

The Lion's requested to hold the Halloween parade on October 25, 2007 at 6:00 p.m. Lions have not generated the letter with the route and the request. Council is waiting for the letter from the Lions to approve the parade.

Mr. Adams recommends holding Trick or Treat from 6-8 p.m. on Wednesday, October 31, 2007. Council agreed

**REPORTS OF THE COMMITTEES:**

All Council members received copies of the Reports of Officers.

**COMMUNICATIONS:**

None.

**UNFINISHED BUSINESS:**

Solicitor Evans stated he will mail the letter to Penske regarding the proposal.

**OLD BUSINESS:**

The Law & Order Committee will reschedule the meeting with the police department regarding negotiations.

Mr. Angelo questioned the status of the H&P property. Solicitor Evans stated due to the appraised value of the land, the sale of the property would have to be put out to bid. Solicitor Evans stated at one point H&P stated the possibility of a land swap but to date no offer has been made. Solicitor Evans stated at this point everything is in H&P's hands.

**NEW BUSINESS:**

None.

A brief executive session was held for legal issues and personnel.

A resolution was read regarding declaring eminent domain of 219-221 Lewis Street due to the deplorable condition of the properties. Mr. Angelo made a motion to approve the resolution as read; seconded by Mr. Adams. Motion passed as presented.

Solicitor Evans stated the Civil Service Commission made a recommendation of two candidates to fill the vacancy. Mr. Miscavage made a motion to refer the candidates to the Law & Order Committee to review and present Council with a recommendation; seconded by Mr. Post. Motion passed as presented.

With no further business to discuss, Mr. Angelo made a motion to adjourn seconded by Mr. Kimmel. Motion passed as presented.

Respectfully Submitted,

Megan Paul  
Borough Secretary