

FRACKVILLE BOROUGH COUNCIL  
REGULAR MEETING  
APRIL 10, 2019

The regular meeting of the Frackville Borough Council opened with the "Pledge of Allegiance to the Flag". President Jordan presided. Council members Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, along with Mayor Phillips, Secretary/Treasurer Deeter, Solicitor Semanchik, and a few citizens were in attendance.

MINUTES

A motion to correct the March 13, 2019, minutes stating there was no motion to approve the design of the pool. The motion was to request changes to the design of the pool was made by Mr. Tertel, seconded by Mr. Zuber. Roll call vote went as follows: Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried.

A motion to accept the March 13, 2019, minutes including the above stated change was made by Mr. Tertel, seconded by Mr. Martin. All in favor 7 – 0. Motion carried.

Don Cuff, Borough Engineer reported to council that all the necessary paperwork from last year's flooding was submitted to FEMA. April 24<sup>th</sup> FEMA will be here with various agencies. Local representatives should attend this meeting on April 24, 2019, at 11:00 a.m.

If successful in getting the work to proceed, FEMA will be looking for the borough to pay for all the fees but it is a reimbursable program.

Solicitor Semanchik said the borough council was in executive session from 6:00 p.m. to 7:30 p.m. for litigation, property, and enforcement issues.

ECONOMIC DEVELOPMENT TASK FORCE REPORT

The economic development task force report was presented by Mrs. Miernicki and same accepted on the motion of Mr. Tertel, seconded by Mr. Zuber. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

PERSONNEL REPORT

No Report

FINANCE REPORT

Treasurer's Report

The treasurer's report was presented and same accepted on the motion of Mr. Cunningham, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

Tax Collection Report

The tax collection report was presented and same accepted on the motion of Mr. Cunningham, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

A motion to approve the bills for payment was made by Mr. Cunningham, seconded by Mrs. Miernicki. Roll call vote went as follows: Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried. A copy of the bills is attached to the minutes.

A motion to accept the finance report was made by Mr. Tertel, seconded by Mr. Martin. All in favor 7 – 0. Motion carried.

#### MAYOR'S REPORT

##### Chief of Police Report

The chief of police report was presented and same accepted on the motion of Mr. Berger, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

##### Health Officer's Report

Mayor Phillips said the health inspections are up to date. A motion to accept the report was made by Mr. Berger, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

##### Fire Chief Report

The fire chief report was presented by Mr. Lindenmuth and same accepted on the motion of Mr. Berger, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

A motion to accept the mayor's report was made by Mr. Berger, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

#### STREET/SEWER REPORT

A motion to purchase an air compressor up to \$1,000.00 was made by Mr. Martin, seconded by Mr. Tertel. Roll call vote went as follows: Martin, Miernicki, Tertel, Zuber, Berger, Cunningham, and Jordan all voted yes. Motion carried.

Mr. Tertel said the street project bids will be opened at the May 8<sup>th</sup> worksession.

The street report was presented by Mr. Tertel and same accepted on the motion of Mr. Zuber, seconded by Mr. Martin. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

#### PROPERTY REPORT

A motion to allow the Election Bureau use of the council chambers on April 23, 2019, from 8 a.m. to 7:30 p.m. was made by Mr. Cunningham, seconded by Mr. Tertel. Roll call vote went as follows: Miernicki, Tertel, Zuber, Berger, Cunningham, Martin, and Jordan all voted yes. Motion carried.

A motion to seek bids to replace the two air conditioners at the Goodwill Fire Company was made by Mr. Cunningham, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

A motion to accept the property report was made by Mr. Martin, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

#### LAW & ORDER REPORT

No Report

#### SANITATION REPORT

The sanitation report was presented by Mr. Cunningham and same accepted on the motion of Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

#### RECREATION REPORT

Mr. Berger said the parks are being addressed. The fencing has numerous holes in it. Also the Little League Complex is being looked at to make sure everything is ok. A motion to accept the recreation report was made by Mr. Zuber, seconded by Mr. Cunningham. All in favor 7 – 0. Motion carried.

#### LIGHT/WATER REPORT

No Report

#### OLD BUSINESS

Solicitor Semanchik said the borough cannot approve the correspondence from North Schuylkill PTO because the borough does not own the property.

Solicitor Semanchik said the development plan for Cherry Street Commons in reference to numbering on various streets has been revised.

Submission for small games of chance for the Little League has been submitted as per the borough solicitor.

The Whipporwill letter of support and approval has been issued as per the borough solicitor and the application is being reviewed.

A motion to approve the waiving of any obligations of delinquent property tax for 40 N. Lehigh Avenue since it was demolished was made by Mrs. Miernicki, seconded by Mr. Zuber. All in favor 7 – 0. Motion carried.

#### NEW BUSINESS

No Report

#### CITIZEN COMMENTS

Tim Hale – Hometown Hero's

Mr. Hale is asking for support to hang the banners starting April 12, 2019.

A motion to start putting up the banners was made by Mr. Martin, seconded by Mr. Tertel. All in favor 7 - 0. Motion carried.

Mr. Hale said they will not be purchasing new banners they are at their limit. He also thanked council for their support.

Brian Hayes – 129 W. Laurel St.

Mr. Hayes is requesting permission to have off street parking.

Council President Jordan said the property will have to be looked at before permission is granted.

Joan Jones – Gilberton

She would like to know who gave the borough workers permission to burn leaves. President Jordan said he will address this and get back to her with an answer.

A motion to adjourn was made by Mr. Tertel, seconded by Mr. Cunningham. All in favor 7 – 0. Motion carried.

Attest:

Brenda Deeter  
Secretary/Treasurer

FRACKVILLE BOROUGH COUNCIL  
REGULAR MEETING  
MAY 8, 2019

The regular meeting of the Frackville Borough Council opened with the "Pledge of Allegiance to the Flag". President Jordan presided. Council members Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, along with Mayor Phillips, Secretary/Treasurer Deeter, Solicitor Semanchik, and a few citizens were in attendance.

MINUTES

A motion to accept the April 10, 2019, minutes was made by Mr. Tertel, seconded by Mr. Martin. All in favor 7 – 0. Motion carried.

ECONOMIC DEVELOPMENT TASK FORCE REPORT

The economic development task force report was presented by Mrs. Miernicki. Mrs. Miernicki mentioned that utility identification is needed at the central park. Mrs. Miernicki is working on grants to pay for a wall of veterans pavers along with some benches. Central Park was just the plan name for the park.

A motion to name the central park Veteran's Park so we can move forward with this grant was made by Mrs. Miernicki, seconded by Mr. Zuber. Roll call vote went as follows: Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried.

A motion to give permission to Quinn Fisher and Edan Frantz to do their senior project which is a flower pot project on Lehigh Avenue which they will be responsible for was made by Mrs. Miernicki, seconded by Mr. Tertel. All in favor 7 – 0. Motion carried.

A motion to accept the economic development report was made by Mr. Berger, seconded by Mr. Zuber. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

PERSONNEL REPORT

No Report

FINANCE REPORT

Treasurer's Report

The treasurer's report was presented and same accepted on the motion of Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

Tax Collection Report

The tax collection report was presented and same accepted on the motion of Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

A motion to accept the bills for payment was made by Mr. Tertel, seconded by Mr. Cunningham. Roll call vote went as follows: Cunningham, Martin, Miernicki, Tertel, Zuber, Brenger, and Zuber all voted yes. Motion carried. A copy of the bills is attached to the minutes.

A motion to accept the finance report was made by Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 -0. Motion carried.

#### MAYOR'S REPORT

##### Chief of Police Report

The chief of police report was presented and same accepted on the motion of Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

A motion to declare an emergency no parking from S. High Street to Second Street and Center Street was made by Mr. Tertel, seconded by Mrs. Miernicki. Roll call vote went as follows: Martin, Miernicki, Tertel, Zuber, Berger, Cunningham, and Jordan all voted yes. Motion carried.

##### Fire Chief Report

The fire chief report was presented by Chief Lindenmuth and same accepted on the motion of Mr. Zuber, seconded by Mr. Tertel. All in favor 7 – 0. Motion carried

The Memorial Park Parade will be Monday, May 27, 2019, at 9:00 a.m.

A motion to accept the mayor's report was made by Mr. Zuber, seconded by Mr. Cunningham. All in favor 7 – 0. Motion carried.

#### STREET/SEWER REPORT

The 2019 Road Bids were opened at 5:30 p.m. from the following vendors and the amounts were as follows:

New Enterprise Stone	\$177,054.00
Franzosa Trucking	\$195,999.00
Barletta Materials	\$208,419.00
H&K Group	\$208,887.95

Mr. Tertel made a motion that in that the apparent low bidder exceeds available funding, I recommend conditional approval to award the low bidder identified after a review by the Public Works Director, the Borough Engineer, and the Solicitor, and a reduction of the number of street projects, to assure the contract award is within available funds was seconded by Mr. Berger. Roll call vote went as follows: Miernicki, Tertel, Zuber, Berger, Cunningham, Martin, and Jordan all voted yes. Motion carried.

A motion to rent a street sweeper in the amount of \$500.00 for Oak Street, Spring Street, and Lehigh Avenue including putting the street sweeper on the borough's insurance as an insurance rider was made by Mr. Tertel, seconded by Mr. Martin. Roll call vote went as follows: Tertel, Zuber, Berger, Cunningham, Martin, Miernicki, and Jordan all voted yes. Motion carried.

A motion to hire 3 part-time seasonal workers at \$10.00 per hour was made by Mr. Berger, seconded by Mr. Tertel. Roll call vote went as follows: Zuber, Berger, Cunningham, Martin, Miernicki, Tertel, and Jordan all voted yes. Motion carried.

A motion to accept the street report was made by Mr. Martin, seconded by Mr. Tertel. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

#### PROPERTY REPORT

A motion to accept the bid from Schultz Roofs items 1 through 3 in the amount of \$15,634.20 was made by Mr. Cunningham, seconded by Mr. Martin. Roll call vote went as follows: Berger, Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried.

A motion to accept the correspondence from the Frackville Library was made by Mr. Cunningham, seconded by Mr. Berger. All in favor 7 – 0. Motion carried.

A motion to accept the property report was made by Mr. Tertel, seconded by Mr. Zuber. All in favor 7-0. Motion carried.

#### LAW & ORDER REPORT

No Report

#### SANITATION REPORT

The sanitation report was presented and same accepted on the motion of Mr. Berger, seconded by Mr. Martin. All in favor 7 – 0. Motion carried. A copy of the report is attached to the minutes.

#### RECREATION REPORT

Mrs. Miernicki said the borough will be participating in the free lunch program. She will be putting flyers out.

A motion to accept the recreation report was made by Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

#### LIGHT/WATER REPORT

No Report

#### OLD BUSINESS

A motion to accept the quote from Freedom Systems in reference to the software update for the office was made by Mr. Berger, seconded by Mr. Cunningham. Roll call vote went as follows: Cunningham, Martin, Miernicki, Tertel, Zuber, Berger, and Jordan all voted yes. Motion carried.

Executive session was from 6:25 p.m. to 7:25 p.m. for personnel, property, and code issues.

The inspectors from FEMA will be here tomorrow to look at the south end of the borough. If the borough is approved by FEMA, the borough must fund the project then FEMA will reimburse us.

#### NEW BUSINESS

No Report

#### CITIZEN COMMENTS

Ryan Myer – W. Washington Street

Mr. Myer had an incident with councilman Martin on October 18, 2018. He feels councilman Martin should be removed from council. The incident is on file in the Frackville Borough Police Department. Mr. Myer is questioning the legal end of the incident. Solicitor Semanchik said he will get back to Mr. Myer on this situation. Mr. Myer said if Mr. Martin is not removed he will release the video to the media.

Robin Hopkins – Frackville

She is addressing Flooding issue at her home. She is requesting something be done soon. She would also like FEMA to look at her property.

Joan Jones – Gilberton

In reference to Kowalewski road, the chief will be working on this tomorrow.

Bri Kost – Frackville

She is also addressing the flooding issues at her home. She was told council is trying to have FEMA address the flooding project. The inspectors will be here tomorrow and the borough is going to follow up with a special meeting.

A motion to adjourn was made by Mr. Tertel, seconded by Mrs. Miernicki. All in favor 7 – 0. Motion carried.

ATTEST:

Brenda Deeter  
Secretary/Treasurer



BOROUGH OF FRACKVILLE  
REGULAR MEETING  
JUNE 12, 2019

The regular meeting of the Frackville Borough Council opened with the "Pledge of Allegiance to the Flag". Vice President Zuber presided. Council members Berger, Cunningham, Martin, Miernicki, along with Mayor Phillips, Secretary/Treasurer Deeter, Solicitor Semanchik, along with a few citizens were in attendance. Council President Jordan and Councilman Tertel were both absent.

MINUTES

A motion to accept the May 2019, minutes was made by Mr. Berger, seconded by Mr. Martin. All in favor 5 – 0. Motion carried.

ENGINEER'S REPORT

Mr. Cuff updated council on the paving project. There will be a preconstruction meeting and depending on the weather the project should be completed in early July.

Also DCNR should soon be done reviewing the pool plans and once approved we will need approval for the pool project to be advertised.

The Fire Company does not qualify for CDBG funding, therefore, the borough should consider another alternative for a project.

ECONOMIC DEVELOPMENT TASK FORCE REPORT

The economic development task force report was presented and same accepted on the motion of Mr. Berger, seconded by Mr. Martin. All in favor 5 – 0. Motion carried.

A motion to accept a matching grant in the amount of \$7,500.00 for the Landbank to have a feasibility study on the block of N. Lehigh Avenue, also the authorization of the borough secretary to send out the RFP's and beside the borough representatives ( Helen Miernicki and Pete Zuber) a small committee will be comprised of the Landbank and the Economic Development Task Force was made by Mrs. Miernicki, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried.

A motion to accept the Economic Development Task Force Report was made by Mr. Cunningham, seconded by Mr. Berger. All in favor 5 – 0. Motion carried.

PERSONNEL REPORT

NO REPORT

FINANCE REPORT

Treasurer's Report

The treasurer's report was presented and same accepted on the motion of Mrs. Miernicki, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried. A copy of the report is attached to the minutes.

#### Tax Collection Report

The tax collection report was presented and same accepted on the motion of Mrs. Miernicki, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried. A copy of the report is attached to the minutes.

#### Bills for Payment

A motion to accept the bills for payment including the two bills from Aquatic Design in the amount of \$50,000.00 was made by Mrs. Miernicki, seconded by Mr. Martin. Roll call vote went as follows: Berger, Cunningham, Martin, Miernicki, and Zuber all voted yes. Motion carried. A copy of the bills is attached to the minutes.

A motion to accept the finance report was made by Mr. Martin, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried.

#### MAYOR'S REPORT

##### Chief of Police Report

The chief of police report was presented and same accepted on the motion of Mrs. Miernicki, seconded by Mr. Martin. All in favor 5 – 0. Motion carried. A copy of the report is attached to the minutes.

##### Fire Chief Report

The fire chief report was presented and same accepted on the motion of Mrs. Miernicki, seconded by Mr. Martin. All in favor 5 – 0. Motion carried. A copy of the report is attached to the minutes.

#### STREET/SEWER REPORT

The street report was presented and same accepted on the motion of Mr. Cunningham, seconded by Mr. Berger. All in favor 5 – 0. Motion carried. A copy of the report is attached to the minutes.

#### PROPERTY REPORT

A motion to allow the Midget Football use of the gym on September 15, 2019, for a basket auction pending the date is available was made by Mr. Cunningham, seconded by Mr. Berger. All in favor 5 – 0. Motion carried.

#### LAW & ORDER REPORT

A motion to allow the chief of police and the committee to review ordinances and put something together that works for Frackville and present to council was made by Mr. Berger, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried.

#### SANITATION REPORT

The sanitation report was presented and same accepted on the motion of Mr. Martin, seconded by Mrs. Miernicki. All in favor 5 – 0. Motion Carried.

#### RECREATION REPORT

A motion to replace the fencing @ Hickory and Spring Street with 4 foot black vinyl fencing in the amount of \$2,678.52 and purchase 2 aluminum picnic tables in the amount of \$1,120.00 was made by Mr. Berger, seconded by Mrs. Miernicki. All in favor 5 – 0. Motion carried.

#### LIGHT/WATER REPORT

No Report

OLD BUSINESS

No Report

NEW BUSINESS

The solicitor said executive session was from 5:30 p.m. to 7:05 p.m. for personnel, property, and code enforcement issues.

A letter was received in reference to the property at 111 S. Broad Mountain Avenue being exempt from garbage fees due to it is not habitable. There was no motion made. Copy of letter attached to the minutes.

Council President Zuber said a borough manager is needed and he would like council to consider this and put this in next years budget.

CITIZEN COMMENTS

Ron Leim - Hometown Hero's

He thanked council and the borough workers for all their help. He has a check for the borough in the amount of \$60.00 for gas.

A motion to waive the \$60.00 for gas and use it for repairs to the flags was made by Mr. Berger, seconded by Mr. Cunningham. All in favor 5 – 0. Motion carried.

Robin Hopkins – Frackville

She asked if the borough has any plans for preventative maintenance for future flooding. She was told a study is being done at the request of FEMA before any work can be started. She did ask council if they would consider picking up extra garbage if there would be flooding. Council said they will take this into consideration and address at the next meeting.

A motion to adjourn was made by Mrs. Miernicki, seconded by Mr. Berger. All in favor 5 – 0. Motion carried.

ATTEST:

Brenda Deeter  
Secretary/Treasurer

FRACKVILLE BOROUGH COUNCIL  
SPECIAL MEETING  
MAY 30, 2019

The special meeting of the Frackville Borough Council opened with the "Pledge of Allegiance to the Flag". President Jordan presided. Council members Cunningham, Martin, Miernicki, Tertel, Zuber, Secretary/Treasurer Deeter, Solicitor Semanchik, and no citizens were in attendance. Councilman Berger was absent.

Don Cuff, Borough Engineer, attended the meeting along with Mike Brinkash from Brinkash and Associates to give an update on FEMA.

Mr. Cuff said the FEMA inspectors were out looking at the entire project. FEMA is recommending a drainage study which is called a H & H study. This is recommended by FEMA and this would be the first step.

Mr. Cuff introduced Mr. Brinkash from Brinkash and Associates. Mr. Cuff said he has experience with the H & H study. Mr. Brinkash discussed this with council on how this is done and his experience with the city of Shamokin.

A motion to authorize Entech Engineering to do the H & H study in the amount of \$61,900.00 was made by Mr. Martin, seconded by Mr. Tertel. Roll call vote went as follows: Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried. A copy of the proposal is attached to the minutes.

A motion to authorize Entech Engineering to do the Administration study in the amount of 10,000.00 was made by Mr. Martin, seconded by Mr. Tertel. Roll call vote went as follows: Cunningham, Martin, Miernicki, Tertel, Zuber, and Jordan all voted yes. Motion carried. A copy of the proposal is attached to the minutes.

Mr. Cuff said this will start tomorrow weather permitting. Mr. Cuff also asked council to discuss what projects they would like to do for the CDBG grant money and let him know as soon as possible.

A motion to table the 2 bills for the final pool and bath house design from Aquatic Facility Design until the June meeting was made by Mr. Tertel, seconded by Mr. Zuber. All in favor 6 – 0. Motion carried.

A motion to extend the listing for 64 N. Lehigh Avenue, Frackville, PA with Realty World listing at \$42,500.00 was made by Mr. Cunningham, seconded by Mr. Martin. Roll call vote went as follows: Martin – yes, Miernicki – yes, Tertel – yes, Zuber – recuse, Cunningham – yes, and Jordan - yes. Motion carried.

**NEW BUSINESS**

Council met in executive session from 5:30 p.m. to 6:00 p.m. for personnel issues.

A motion to hire Anna Flail as a part-time police officer pending she meets all the requirements as per the police contract was made by Mr. Zuber, seconded by Mr. Tertel. Roll call vote went as follows: Miernicki, Tertel, Zuber, Cunningham, Martin, and Jordan all voted yes. Motion carried.

In reference to the review of the video the solicitor said there is no recommendation to take further action.

A motion to accept the correspondence from the BPA was made by Mr. Zuber, seconded by Mr. Cunningham. All in favor 6 – 0. Motion carried. A copy of the correspondence is attached to the minutes.

A motion to have the borough employees who have work related duties on the streets get their TDAP Vaccine and their Hepatitis A Vaccine if they do not already have them was made by Mr. Tertel, seconded by Mr. Martin. Roll call vote went as follows: Tertel, Zuber, Cunningham, Martin, Miernicki, and Jordan all voted yes. Motion carried.

#### CITIZEN COMMENTS

No Comments

A motion to adjourn was made by Mr. Tertel, seconded by Mrs. Miernicki. All in favor 6 – 0. Motion carried.

ATTEST:

Brenda Deeter  
Secretary/Treasurer