

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING**

August 12, 2020

7:00 P.M.

Opening Prayer by Councilman Robert Chesney
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday, August 12, 2020

Roll call was taken, and the following members were present: Mayor Bozza, Stephen Bielskie, Robert Chesney, Joseph Dowkus, Robert Fanella, Stephen Motyka, Michael Sinopoli and Robert M. Slaby

ABSENT: None

APPOINTED OFFICIALS PRESENT: Solicitor, Edward Greco, Treasurer Paul Niglio, Secretary Rhonda Wilk, Code Official Heather Owens, Borough Supervisor Bruce Graff, Police Chief Nathan Foust.

OTHERS PRESENT: Cheryl Hornberger, Edwin Howerter, Lynn Ridner, William Ridner, Mike Benedetto, Vikki Benedetto, Barry Fetterman, Bruce Graff, Todd Owens, Steve Mazzeo and Phillip Shorm.

OPPORTUNITY FOR CITIZENS TO BE HEARD ON ANYTHING THAT IS ON THE AGENDA:

No one spoke

PRESIDENTS REPORT – (Robert M. Slaby)

Mr. Slaby welcomed all to meeting and thanked everyone for coming.

Mr. Slaby stated we advertised for 2020 Street Paving and will now open those bids.

Rhonda Wilk stated five bids were received and stated careful review must be taken due to one bidder notifying ADA was included in their bid for Lamplight Acres, which that line item will need to be subtracted from their bid when opened.

A bid was received from Glenn O. Hawbaker Inc. of Montoursville for 8th Street \$90,791.40, Maple Street \$60,219.95 and Lamplight Acres \$68,031.90 for a total of \$219,043.25.

The second bid was received from M & M Asphalt Corp or Williamsport for 8th Street \$92,464.77, Maple Street \$60,949.82 and Lamplight Acres \$81,326.91 for a total of \$234,741.50.

The third bid from H & K Group, Inc. of Skippack PA, 8th Street bid \$84,900.79, Maple Street \$56,736.11 and Lamplight Acres \$65,905.49 for a total of \$207,542.39.

A fourth bid from Meckleys Limestone Products, Inc. of Herndon PA, 8th Street \$72,649.00, Maple Street \$49,587.00 and Lamplight Acres \$58,251.00 for a total of \$180,487.00.

And the fifth bid from New Enterprise Stone & Lime Co, Inc. Winfield PA 8th Street \$66,899.00, Maple Street \$44,229.25 and Lamplight Acres \$47,998.00 for a total of \$159,126.25.

All bids will be reviewed by the Solicitor and placed on a spreadsheet for Councils review.

Mr. Slaby stated we now have some vehicle bids to open, bids were advertised for the 2003 Super Duty Ford Truck, the 2006 Chevrolet Impala and the 1988 Chevrolet Suburban. He stated we will now open those bids.

Rhonda Wilk stated there were 2 bids received and proceeded to open them. The first bid received was from Gary Kaszowski of Charlton Landscaping & Nursery in Charlton City, MA 01508. She stated his bid was for the 2003 Super Duty Ford w/ plow in the amount of \$5,377.77.

Rhonda Wilk opened the second bid and stated the bid was received from Mike Veneziano of Bellfonte, PA. Mike Veneziano bid on the 2006 Chevrolet Impala in the amount of \$107.00, the 2003 Ford Dump Truck bid of \$1,007.00 and the 1988 Chevrolet Suburban bid of \$507.00.

The bids were passed to Solicitor Greco for review.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza asked for permission and a motion from Borough Council to purchase ammunition for the Police Department in the amount of \$638.10.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to purchase ammunition for the police department in the amount of \$638.10

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mayor Bozza updated council on the pollination garden and thanked Landscape Services and J & S Landscaping adding they needed a little more fill than they expected. Mayor Bozza stated their funds are getting a little low and stated anyone wanting to make a donation to be used in the completion of that project may do so and are appreciated.

Mayor Bozza stated volunteer have been helping out, adding John Seedor and Giorgini Construction have been helping out at the project tremendously. Mayor Bozza stated plans are being made to by the end of October to plant some trees and wildflowers.

Mayor Bozza stated Father will plan to host the kids planting for lunch, if COVID allows. He stated he will keep everyone posted and updated on the project.

Mayor Bozza stated he would like to discuss the hiring of part time police officers. He stated we have a few officers from out of the area that have inquired about working part time in our department.

Mayor Bozza stated he for one and is sure the Chief and the officers here tonight would agree that we could certainly use the help. Mayor Bozza stated that is his take on it and their take on it adding the Chief agrees.

Mayor Bozza stated he will leave it up to council for discussion and then stated his request is to put some part time officers on.

Mr. Slaby replied stating he recalls at the last meeting this subject was discussed and it was told to council he the Mayor was going to pursue getting applications and a list together so that if it is decided council would want to go down that route he would have the information together. Mr. Slaby questioned if that has been taken care of. Mayor Bozza replied it has.

Mr. Slaby recommend Mayor Bozza, Chief and the personnel committee get together so that by the next meeting they could do something if that is council's choice. Mayor Bozza replied that does not suit him, but council is the decision makers not him.

Mr. Slaby responded by saying he is not stalling and stated his feelings are known on the subject of police. Mr. Slaby clarified what he is saying is let's move it along to the personnel committee and give them the opportunity. Mayor Bozza replied the opportunity is here for two really good officers and if something happens, we may end up losing them and stated possibly by Monday they would not be available. Mr. Slaby agreed and said that is a possibility and added, that is what it is like in Kulpmont and all over in getting part timers. Mr. Slaby stated he truly understands that. Mr. Slaby asked council if they are all in agreement in what he discussed with the Mayor. Council agreed. Mr. Slaby stated the Mayor, Chief and personnel committee could get together, and we will go from there.

Treasurer Niglio said for council's information our budget for police salaries is \$154,000.00 and stated through the end of July we expended \$79,000.00. Mayor Bozza asked Mr. Niglio if he recalls when the new council came on four years or so ago, we hired four full time officers and questioned what happened to that money. Mr. Niglio replied the budget calls for the wages for the Chief and for three full time officers, not four.

Mayor Bozza stated we had four full time officers. Mr. Niglio agreed and said we were not budgeted for four. Mayor Bozza, Mr. Fanella and Mr. Chesney agreed there were three full time and the Chief. Mr. Niglio then stated not at the starting wages we are paying. Mayor Bozza stated they were all full time. Mr. Niglio stated we now have three

full time officers. Mr. Slaby stated what the Mayor and Mr. Fanella are saying is we should have the Chief and three other full-time officers, so four. Mr. Niglio stated it was never budgeted for. Mr. Slaby then commented, so the money is not there.

Mr. Niglio replied “correct,” it was never there. Mr. Niglio stated the borough never budgeted for three full time officers outside of the Chief. Mr. Slaby stated to the best of his knowledge this was all discussed last June or July, adding he remembers because he was on vacation when it all happened. Mr. Slaby stated they say one thing and then when it came time to budget, the money was not there. Mr. Slaby stated if you have a police department that has four officers, he believes it should be budgeted during budget time and if it isn’t, everyone should know about it.

Mr. Niglio stated what protects the budget is you never had them for the full year, people were in and out. Mr. Niglio stated it goes back to 2018 when they did three full time patrolmen and did not appropriate the money for that. Mr. Fanella stated in 2019 we did not have the one officer; we lost the one and so he would not have been put in the budget. Mayor Bozza questioned the Chief how long we had the officer. Chief Foust replied he believes July of 2018 until May of 2019. Mr. Slaby stated we will do what we said and will deal with it either for the remaining months of this year depending what Mr. Niglio says. Mr. Slaby stated it needs to be addressed either yes or no.

Mr. Slaby questioned the Mayor on the topsoil needed and questioned if he knows the amount needed for the pollination garden. Mayor Bozza stated approximately \$2,000.00 will be needed for the purchase of additional topsoil needed.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the regular meeting on July 8, 2020 regular monthly meeting minute.

MOTION – Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to approve the meeting minutes from the July 8, 2020 meeting.

Mr. Chesney questioned if in the minutes it should be clarified about the 100 feet at the intersections and stated it should be looked into.

Mr. Fanella commented, no action was taken.

Solicitor Greco stated the minutes reflect the comments; the minutes are presumably accurate, and it would be alright to approve them, because this was something council wanted to investigate.

VOICE VOTE- Unanimous

Rhonda Wilk stated Correspondence was received from DEP on the monitoring and reporting discharge stormwater associated with construction activity for future project site in East Cameron, Mt. Carmel township and Kulpmont Borough effective July 3, 2020 – December 7, 2024, copied to both Mayor and Council.

Correspondence was received from the Northumberland County Office of the Commissioners on the COVID 19 Relief Block Grant Funds and was copied to Mayor and Council.

Northumberland County Tax Claim Bureau correspondence regarding certification on any municipal claim by August 30, 2020 and any claim the Borough may have against any of the properties budget to the 2020 tax sale of Property for delinquent taxes as set forth and to be included in the upset sale price of such property.

Rhonda Wilk stated there was a late correspondence received from the Kulpmont Baseball Football Association, the certificate of liability for the 2020 season and is on file in the borough office.

Mr. Motyka questioned Mr. Bielskie if we issue permits and inspect to PPL to install pole lines through the borough. Mr. Bielskie replied no.

TREASURERS REPORT – (Paul A. Niglio)

Council received a copy of the financial statement and bills to be paid and stated a motion is needed to approve and pay the bills.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to approve the bills and financial statement and pay to bills.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Niglio stated he did a quick review of our receipts through July to see if the pandemic was going to have any impact on our earned income and at this point and time, he stated he did not see any impact from last year adding the revenue stream is the same as the past two years. Mr. Slaby stated that is a good sign and a good indicator.

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he forwarded a memo to council concerning the properties owned by the borough at this point and time. Solicitor Greco stated one of the properties was a donated to the borough from Victor Pupo and his wife. Solicitor Greco stated he provided the lot size and the assessed value. The Solicitor stated an assessed value is a formula used by the county and does not necessarily give a true indicator of a fair market value or an appraised value, however if you want to put these out for sale and determine a minimum bid amount it is a place to start without an appraised value.

Solicitor Greco stated alternatively you could go out and get an appraisal done, which may cost several hundred dollars per property. Solicitor Greco stated it is up to council, the Pupo lot is a 30' x 150' on Chestnut Street again two doors down there are two lots 30' x 150'.

Mayor Bozza questioned if we must get them appraised. Solicitor Greco replied he does not think we are looking at using these numbers for anything other than a guide to establish a minimum. He stated he knows Mr. Chesney is looking into the amount we need to pay back to the county, so at the very least those numbers should be a minimum bid we should accept.

Solicitor Greco stated an appraisal would not be required, if it were a private sale or something like that but to go out as a bid, we are just looking for what is the minimum bid we would sell at. Mr. Chesney stated as Solicitor Greco said, there is an amount that would be returned to the county for their assistance in helping us with the blighted properties and go back into the blight fund which could be used again.

Mr. Chesney stated proceeding with the bidding process we would see how we make out. Mr. Chesney then said, no numbers will be totally given because of having a hopeful bidding process. Solicitor Greco stated it would be alright to disclose the established minimum because it will be in the bid. Mr. Chesney replied, okay. Mr. Chesney stated he feels a motion should be made to advertise for the sale of those lots.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Fanella to advertise for the sale of all three borough properties and set a minimum and with the option to reject any or all bids.

Mr. Motyka questioned if we could set the minimums at the assessed values. Solicitor Greco replied you can do that or whatever minimum bid amount council decides on, but yes you could put it at \$10,000.00. Mr. Chesney stated we will get a ballpark figure. Solicitor Greco stated you would need to include a minimum now in the motion. Mr. Chesney questioned if the minimum needs to be stated now. Solicitor Greco replied yes, a minimum would need to be included in the motion. Solicitor Greco stated if you go to high, we may not get any bids and then would have occurred the expense of advertising.

Mayor Bozza questioned what it will hurt to table this until a minimum is decided and agreed upon. Mr. Chesney stated it will not hurt anything and stated we have all of the numbers we need and we just need to get a ballpark figure on what a lot in Kulpmont would sell for and decide in our minds what we would hope to receive. Mr. Chesney stated we must keep in mind the amount of fifty-seven ninety-seven that we need to give back to the county. The solicitor then stated a subsidiary motion would need to be made and voted on.

SUBSIDIARY MOTION- Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to table the decision to advertise and sell lots until further review.

VOICE VOTE- Unanimous

Solicitor Greco stated he met with Mr. Chesney on Animal and a Noise Ordinance and stated he received a Ordinance from Mr. Dowkus from another municipality and stated he is working on drafts.

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

Mr. Fanella questioned the Chief about the status of a Firebird that he was going to tag the other day. Chief Foust stated he tagged it twice and they keep ripping it and so he will probably go up tomorrow and just have it towed.

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

Report Attachment #4

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Mr. Bielskie stated there were two permits issued from his office of Tri County COG.

CODE/HEALTH ENFORCEMENT OFFICER’S REPORT – (Heather Owens)

Report Attachment #5

Code Officer Heather Owens asked that residents be more mindful of the high grass and weeds along the fences and property lines. She asks that when residents are cutting their grass to pay attention to these areas.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated the food surplus will be held on August 20th from 8:00 a.m. until 12 noon at the Borough Garage.

Mr. Fanella stated the low bidder was Dave Gutilius Excavating in the amount of \$65,254.00. He stated the bids came in slightly higher than what our grant was for and stated Livic Civil is reviewing the bid and also looking into seeing if we could get some more money to that grant for this project.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to award the Fir Street project after review by the engineer and solicitor to Dave Gutilius Excavating.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Fanella stated we have two quotes for cameras, the first one is from Alert Data in the amount of \$3,431.00 and the second is from Scott Anderson \$3,824.64. Mr. Fanella stated Alert Data quote is lower and there are more cameras.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to award the camera project to the low bidder, Alert Data in the amount of \$3,431.00

Mr. Dowkus stated he feels this should be tabled for review adding there is a lot of details on these bids that are on one and not the other and some mention of responsible for some stuff. Mr. Slaby states he agrees.

Mr. Fanella stated he would be able to explain most to him and stated the one about the internet that was on the estimate from Anderson where we would need to provide internet that would be if we would want to send it down to the police station or they could view on their phone, which could be done at a later date. Mr. Fanella stated there would be a recorder in the garage. He stated on Alert Data where the walkway is, he is asking that Bruce digs a hole so that the wire could go down underneath the sidewalk and to the fence and run down to where the camera will be. The cameras would be by the dumpsters and in the garage and some of the other areas. Alert Data is giving us more cameras, and Anderson is giving us less but installing a pole, which we would need to buy the pole.

Mr. Fanella stated cameras are needed and stated Coal Township is getting tired of needing to pay for workers to separate and clean our recyclable because it is not being done properly. Basically, if they do not take it, there is not a big market and basically people will be responsible to put the items in their own garbage.

Mr. Slaby stated he was soliciting Coal Township for an additional bin and spoke to Craig Fetterman of Supervisor of Coal Township and he expressed a concern and stated they do not want to cut off the recycling collection from Kulpmont but it is constantly costing them money to clean Kulpmont's materials. Mr. Slaby stated the bins are labeled and stated he has personally seen household garbage inside the cardboard bins and stated he agrees with Mr. Fetterman and if Coal Township pulls them out, People of Kulpmont screwed it up themselves.

Mr. Slaby stated he agrees to install cameras and stated they work brilliantly if you buy the right ones. Mr. Slaby stated he does not want to split hairs over a couple of hundred dollars, lets make sure we are buying good product so that it does what it is supposed to do. Mr. Slaby stated he cannot argue with Mr. Fetterman or the Coal Township Commissioners, they do not want the dirt and it cost them manpower. Mr. Slaby stated if everyone could remember when COVID happened and Coal Township closed down its recycling center, Bruce tried to take our materials to Bloomsburg temporarily. Bruce had learned if we could guarantee it will be clean, they will take it, but they don't want our dirt. Mr. Slaby stated it is all about money and if we were in Coal Townships shoes, we would be saying the same thing.

A short discussion took place on the digging under the sidewalk to install the wire to run to the fence. Bruce suggested possibly going above the ground. Mr. Dowkus stated depending on if we use conduit and go under the ground, we should have a cost depending on the way we will go. Mr. Fanella stated Alert Data is already cheaper and with Anderson we would need to buy the pole. Mayor Bozza stated a timeline should be asked on a start and stop date that the installation will be completed

SUBSIDIARY MOTION- Mr. Dowkus made the motion to table the camera decision until further review.

There was no second on the subsidiary motion to table the camera decision and the motion failed due to lack of a second

Solicitor stated a vote will be taken on the original motion.

ROLL CALL VOTE- DOWKUS (no), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
6 YEAS – 1 NAYS

Mr. Slaby stated he is planning on calling The News Item tomorrow to get the message out to the people of Kulpmont and stated having cameras will help tremendously.

Mr. Fanella stated Bastian provided a quote for \$753.00 for tires for the skidster and stated they recommend a non-directional tire which is more money but will last and are a better tire. Mr. Fanella suggested we go with the non-directional tire.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to purchase tires for the skidster, non-directional tires in the amount not to exceed \$1400.00.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Fanella stated he received a price quote for decals to be installed on the new dump truck from KC Decals in the amount of \$1200.00

MOTION- Mr. Fanella made the motion and was seconded by Mr. Chesney to approve to spend \$100.00 for decals for the new dump truck, purchasing them through KC Decals.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

Coal Township Recycling has a bailer down and asked that our plastic be taken on Monday rather than Tuesday this month. Council discussed the issue and asked Rhonda to put something in the paper to notify the residents plastic will be collected on Monday.

Mr. Fanella stated we will get the word out the best we can and hopefully most people will get the message and have their plastic out for Monday.

Mr. Fanella stated there is an issue on the 1200 block of 12th Street where it is difficult to sweep the street because of the trees coming out into the street. Bruce Graff stated some of the other streets as well have streets coming out into the Streets and Alleys. Solicitor Greco stated there is an obligation to keep our streets free from debris and stated he will check the borough code and stated he believes there is a provision where we give them a notice to take care of it and if they don't and the borough then will do it and place a lien on the property.

Mr. Fanella stated he recommends spraying the walls at the Terry Miriello Field, to spray for weeds but not the area where the bleachers were. Mr. Fanella stated possibly spray the track. Mr. Fanella stated Ehrlich was contracted to do it in the past and suggest we look to get a quote to spray next spring.

Mr. Fanella stated the pickup truck will need to be repaired. Bruce Graff briefly explained the issue with the pickup truck and stated he was quoted a price for the repair of approximately \$360.00.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Dowkus to spend up to \$400.00 to repair the pick-up truck hubs and labor.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

FINANCE/PURCHASING– (Stephen Motyka)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated the ordinances they are working on are in the Solicitors hands and hopes to have what is needed to proceed next month.

GRANTS/RECREATION – (Robert Chesney)

No Report

PERSONNEL- (Michael Sinopoli)

No Report

FIRE/EMA/POLICE COMMITTEE – (Robert Fanella)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mike Benedetto asked if there is any ordinance that is being worked on that may address the barnyard. Council replied yes. Mayor Bozza questioned how the situation is up there. Mr. Benedetto stated now there is a privacy fence and the chickens get out. Mr. Chesney questioned if there are still large numbers. Mr. Benedetto stated he thinks he counted 8 ducks and is not sure how many chickens. Heather Owens the Code Officer stated she believes there are 14 total birds now. Mr. Chesney stated there is some movement, but we need some more movement, but the numbers are going down. Mr. Slaby stated they should be down even more from what the property owners had told him back when it was brought to his attention. Mr. Slaby stated the nightmare continues. Mr. Chesney questioned if we should send them a letter. Mr. Slaby stated we need to get that ordinance all taken care of. Solicitor Greco stated the Code Officer periodically stops and is keeping up on it.

Cheryl Hornberger asked what is going on with the situation that she had talked with Mr. Slaby about as well as the Mayor and Mr. Fanella with this dumpster issue. Ms. Hornberger stated she is now being threatened to be taken to the magistrate. Mr. Slaby stated he believes this was discussed months ago with Code Health and Safety. Mr. Slaby stated he does not believe it is an Ordinance situation as much as it is a Code Health and Safety issue.

Cheryl Hornberger stated she had a dumpster and asked several different people if she needed a permit adding she got a permit because she did not know what to do. She stated that she asked Mr. Fanella to come down and look and he said if it is on your property you do not need a permit. She stated as quickly as she filled the dumpster people would come at night and take things out of it, old sweepers and everything adding she does not know what they do with it.

Mr. Bielskie stated the problem with the dumpster was that it was turned the wrong way and sticking out into the street, a bar out past the telephone pole. Cheryl Hornberger stated she had Mr. Fanella, Mr. Slaby and Mr. Bozza down there and they all said your good, don't worry about it. Mr. Bielskie stated they have pictures of it turned the opposite way with the bar sticking out into the street.

Heather Owens then said, I have the pictures here. Cheryl Hornberger then said no, Rhonda Wilk is the secretary and if she is going to make a payment arrangement, she needs to make it with and talk with Rhonda Wilk not her, the Code Officer. Cheryl Hornberger asked Heather Owens why she told her she must talk with her about a payment arrangement. Heather Owens then replied to Ms. Hornberger that she would need to speak with her and make the arrangement with her. Cheryl Hornberger then addressed Heather Owens and said come on, you make a payment arrangement. Mr. Slaby then stated he does not believe it is up to Rhonda Wilk to arrange for payment.

Cheryl Hornberger addressed Mayor Bozza asking did she not talk with him. He replied absolutely and stated he told her at that time there is not much he can do about it adding

he does not make decisions. She asked Mr. Slaby if he came down and said to her there is no problem with that dumpster. Mr. Slaby stated that night he did not see anything wrong with it. Cheryl Hornberger said so all of these people say she don't need this but then she has somebody that really has no knowledge of what is going on with this sending me threatening letters and jacking these fines up every month.

Heather Owens replied she just followed the Ordinance. Mr. Bielskie added that is the Ordinance and that is the way it works. Cheryl Hornberger addressed the Code Officer telling her she was on private property, someone else's private property that you should not have been on and then proceeded to say she was not even hired right when you did it. Cheryl Hornberger then stated, "Honey this goes back way, way, way and you made comments on that property that was totally inappropriate." Mr. Slaby called for order. Cheryl Hornberger then made the statement to Mr. Slaby that she will go way back if she needs to.

Mayor Bozza stated in his opinion he has seen the pictures and is sure there are some members of council that have not seen the pictures, Heather has the pictures. Mayor Bozza stated he honestly does not have a problem with this dumpster and stated it might have been sticking out this much, but it was not like the whole thing was sticking out into the alley.

Mayor Bozza stated that is his opinion and thinks Council should look at the pictures and make a decision. Mr. Bielskie interjected and asked Mayor Bozza if he thinks it is okay, a pipe sticking out into the street so that when a kid comes by on a bicycle.....Mayor Bozza stated there is a pole there and so you would have to hit the pole before the pipe. Mr. Bielskie replied no, no, no you would hit the pipe before you hit the pole.

Cheryl Hornberger stated look next to where the dumpster was, all that trash there for years, it is filled with poison, there is a vehicle that has been there for years. She then said, "the property was never taken care of, but you are harassing me because of a dumpster that was on my property." Cheryl then stated we are not going to go this route.

Mr. Bielskie then stated all he could say is to leave it at the magistrate level and leave him make a decision. Cheryl Hornberger said she wants a decision now and said she is not going to be harassed. Mr. Bielskie replied to her that she is not being harassed. She then said yes, she is she is being harassed and getting a letter every couple of months. Mr. Bielskie stated she is getting a letter because she is not addressing the issue. Ms. Hornberger replied that she addressed the issue every single time. Mr. Bielskie asked if she paid her fines. She replied she did not and is not paying a fine and was told she was fine. Mr. Bielskie replied, "then you did not address the issue."

Mr. Bielskie then stated that is enough and asked to move on to adjourn the meeting. Ms. Hornberger then stated you can adjourn the meeting but if I do not have some kind of an answer, I am going to call my attorney, because I am being harassed. Mr. Bielskie replied, please do because you are not being harassed. She replied when she gets letters every couple of weeks she is being harassed and has every one of them..... Mr. Slaby

interjected saying on the advice of the Solicitor he is suggesting that she take the appeal before the magistrate and this way personality's will not play a role.

Ms. Hornberger replied saying "I don't have time for this Bob, I don't have time for this nonsense." Ms. Hornberger stated she was guided by people on this council that she did not need to have a permit and now where are these people. Mr. Slaby stated he never said no permit was needed and stated he came down and looked at it and agreed wholeheartedly..... Ms. Hornberger interjected and said, "that it was on my property." Mr. Slaby stated, "I am only one member of council"Ms. Hornberger questioned the Mayor if he did not tell her it was fine. The Mayor's reply was that he honestly did not see a problem with the dumpster. Ms. Hornberger questioned Mr. Dowkus if he saw the picture. Mr. Dowkus replied "no." Ms. Hornberger asked the Code Officer if Mr. Dowkus could see the pictures. Ms. Hornberger then questioned Mr. Fanella if he remembers coming to her home. Mr. Fanella replied "no." Ms. Hornberger then questioned Rhonda Wilk if she recalls her calling and asking if Mr. Fanella could come to her home. Rhonda Wilk replied, "I honestly do not recall."

Mr. Slaby addressed Ms. Hornberger and stated the Solicitor is informing him that it is not up to council to make this decision, it is at the level of the magistrate. Solicitor Greco stated the system is set up for the code officer to do her job and if you feel aggrieved you could file an appeal. Solicitor Greco stated if it was left to individual Councilmembers to say yes, no it would be so arbitrary because it would come down to personalities. Solicitor Greco stated that is why the system is set up in a way not to have that.

Ms. Hornberger stated she was on private property. Solicitor Greco replied, again you need to take that up withMs. Hornberger interjected and said who, the police? Solicitor Greco replied, "no, the magistrate." The Solicitor questions if it was her property. Ms. Hornberger replied "no, she was on someone else's property, a family members property. Solicitor Greco stated then she can not make a complaint based on someone else's property. Ms. Hornberger replied, "Oh with power of attorney we can, we can."

Solicitor Greco then suggested she take her appeal to the magistrate and stated again council is not in the position to over-rule the code officer. Ms. Hornberger then said, "you know what, you take it, and then were coming back, were coming back!"

Mr. Showver stated he owns several properties in the borough and would like to talk about 1437 Scott Street. He stated he talked to Ms. Owens several times and stated he does not know what her next move is, probably to put him in jail. Mr. Showver then said she wont return his calls.....Ms. Hornberger interjected shouting "you need to go up and see her, go see her." Mr. Slaby called for order as Ms. Hornberger spoke out of turn. Mr. Showver stated the Solicitor just told him council has no authority over her. Solicitor Greco replied stating he did not say that.....Ms. Hornberger then interjected again shouting "that is what you did say." Solicitor Greco again said that is not what he said. Mr. Showver then stated if you do have authority, he would like him to direct her to talk to him. Mr. Bielskie asked Mr. Showver what his issue is.

Mr. Showver said he paid the rental fee. Heather Owens stated the issue is change of tenants. Mr. Showver stated she said she does not have the tenant name which he handwritten to her while he was in her office. He then said by the way I don't have a receipt. Ms. Hornberger shouted out, "imagine that." Mr. Showver questioned if she even has a receipt book.

Mr. Showver asked if she is going to inspect her house. Mr. Bielskie replied yes and stated she will be with him. Mr. Showver stated she is incompetent and questioned what her qualifications are. Mr. Bielskie replied he is a master code professional and she is property maintenance person. Ms. Hornberger again interjected stating "I don't even know if she is qualified." Mr. Showver commented, she is not. Mr. Showver stated he would like to get his property resolved. Mr. Slaby asked Mr. Showver to stick around after the meeting and speak to Mr. Bielskie who is in charge of that committee. Mr. Showver agreed.

Vikki Benedetto stated she has an issue with the last council meeting stating she was not there, but her dad and sister were at the meeting. She stated before the meeting even started somehow the neighbor knew they were at the meeting because she came pounding at her door harassing her.

Ms. Benedetto stated she was harassing her and before they got home there was a three-page letter in their door, threatening. She said it says it is not a threat, but it is a threat. Ms. Benedetto stated she cannot prove how she knew they were at the meeting adding she gave the letter to Mr. Slaby.

Mr. Slaby stated he has that and stated any member of council that would like to review that letter to check with him. He said it is interesting and added he is not a cop or an investigator but there are some points here. Solicitor Greco suggested to give the letter to the police and if there are any threats contained in there let the police look at it. She replied the letter was given to their lawyer because she is saying about suing them. Mr. Slaby stated he will personally give a copy to Chief Foust.

Mr. Slaby asked if any other citizen would like an opportunity to speak. No additional citizens came forth.

Mr. Fanella questioned Council if they would like to take any action on the vehicle bids that we read off earlier in the meeting but did not take any action.

Mr. Dowkus stated he was told by a friend he sent in a bid for the suburban, it was not read off or received and stated he does not know if it was lost in the mail or what happened.

Mr. Fanella stated he would like to see action taken on the sale of the dump truck.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to accept the bid for the ford dump truck with plow in the amount of \$5,377.77.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
7 YEAS – 0 NAYS

OLD BUSINESS-

None

NEW BUSINESS-

None

ANNOUNCEMENTS

None

ADJOURNMENT

The 2020 MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval September 9, 2020