

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
January 8, 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 January 8, 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 Slaby

ABSENT: none

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

OTHERS PRESENT: Rose Bielskie, Jim Cipriani, Edwin Howerter, Joe Politza, Mary Sue Mirarck, Joseph Mirarck, Diane Graff, Russ Moroz, Corinne Klose, Robert Michalkovich, Stephanie Niglio, Linda Rodack and Marsha Karnes

Mr. Slaby stated he is at this time going to make a small exception here and move letter F. Personnel to this part of the meeting

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Motyka to re-appoint Paul Niglio to treasurer at a salary of \$2500.00 per year and up to \$800.00 as necessary.

Mr. Bielskie questioned the motion and stated he thought we were going to advertise that position and then whoever applied for that position we would pick from there.

Mr. Slaby stated he was not clear the other night on that adding he does know they had talked about the vacancy board and that is something that will need to be dealt with. Mr. Slaby stated he personally spoke with Mr. Niglio and he would like to retain his position. Mr. Slaby stated a motion is on the floor and asked Mrs. Wilk to take a roll call vote of yes or no.

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

MOTION – Mr. Sinopoli made the motion and Mr. Fanella seconded the motion to pass the collective bargaining agreement between the Laborers International Union of North America, Local 1310 and the Borough of Kulpmont.

Mr. Chesney questioned if everyone has had due time to review it, including Mr. Dowkus and Mr. Motyka. All members will in agreement they had enough time to review. Mr. Slaby thanked all involved in those negotiations.

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

Mr. Motyka questioned if we would want to advertise all the vacant positions. The Solicitor suggested to wait until further down in the meeting.

Mr. Chesney questioned if The News Item could just mention it and through the minutes those interested may then show their interest. Solicitor Greco stated we want to address anything additional under personnel following the agenda, we don't want to get to far off track.

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

No one spoke

PRESIDENTS REPORT – (Robert Slaby)

Mr. Slaby announced there is a sign in sheet as you enter and asked all to please sign in if they have not done so.

Mr. Slaby stated with the re-organization meeting being on Monday and this meeting being on Wednesday he has not had the opportunity to work on the committees, Mr. Slaby stated he will be working on that and give each member a chance to express their interest in which committee's they are interested in serving on. Mr. Slaby stated he hopes to soon have the assignments for the committee's way before the February meeting.

MAYORS REPORT- (Nicholas Bozza).

Mayor Bozza stated we have had some issues with the recycle bins and stated when the cardboard bins get full, you will need to just take the cardboard back to your homes until they are emptied. Mayor Bozza stated they have had materials placed in the wrong containers. Mayor Bozza commented if council wanted to push it there could be charges pressed for illegal dumping. Mayor Bozza reminded residents they cannot drop off any Styrofoam.

Mayor Bozza stated it is a really good thing for the borough and he hopes that residents adhere to the rules for dropping off recyclables.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the December 11, 2019 regular monthly meeting minutes.

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Bielskie to approve the meeting minutes from the December 11, 2019 meeting.

VOICE VOTE-

Unanimous

Rhonda Wilk stated correspondence was received from the Kulpmont Fire Department, Administrative and operational Leadership Contacts, new update for 2020 and was copied to Mayor, Council, and Police Chief.

Correspondence was also received from the Kulpmont Fire Department, Matt Siko President request to meet with Council, police Chief and Mayor early February to review expectations and review goals, Copied to Mayor, Council and Police Chief.

Shamokin Creek Restoration Alliance sent correspondence for a 2020 membership renewal and some general information on the products they were involved in during 2019, Copied to both Mayor and Council.

Correspondence was received from the Northumberland County Tax Claim Bureau, Repository Sale, Copied to both Mayor and Council.

UGI sent correspondence on a notice of red tagged appliance, Copied Mayor, Council and Code.

Correspondence was received from PSAB concerning changes to the 2018 Edition of the Borough Code and was copied to both Mayor and Council.

Rhonda Wilk stated the final correspondence received was from HPCI H&P Construction, Inc. concerning their promise to fulfill roof and improvements to concession stand and was copied to both Mayor and Council.

Mr. Slaby referred to #3, Correspondence from the Shamokin Creek Alliance and questioned Rhonda Wilk if there is a fee for membership renewal. Rhonda Wilk replied it is \$20.00 to re-new the membership. Mr. Motyka commented this is the same group that led the educational grant in Kulpmont and picked up over 5000 lbs. of trash in Kulpmont.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to join the Shamokin Creek Restoration Alliance and renew the 2020 membership for a cost of \$20.00

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

TREASURERS REPORT – (Paul A. Niglio)

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

Mr. Slaby questioned Mr. Niglio on if he has anything, he wishes to add to this. Mr. Niglio replied he does not have anything to add and stated regular bills were paid as they came in through December.

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

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

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he had looked at the Collective Bargaining Agreement which was passed.

Solicitor Greco stated the Northumberland County Tax Collection Committee requires a delegate and an alternate be named. He stated currently Paul Niglio serves as the delegate and he was the alternate. He stated it is important that somebody be appointed and that someone is there because of any quorum issues.

Solicitor Greco stated he is already there and so if Mr. Niglio is interested in being the delegate, he would still be interested in being the alternate. Solicitor Greco stated there is no money or compensation involved in these appointments.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to appoint Mr. Paul Niglio as the Northumberland County Tax delegate.

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

MOTION- Mr. Chesney made the motion and was seconded by Mr. Bielskie to appoint Solicitor Edward Greco as the Northumberland County Tax Collector alternate

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

Mr. Dowkus asked Solicitor Greco for an overview of all what he does for us being nominated as our solicitor. Solicitor Greco stated he brings to the borough over 25 years municipal law experience adding he represented Township, Borough and School District.

Solicitor Greco continued to say he is involved in advising council, reviewing and negotiation any contracts, any legal or employment issues, right to know issues, potential litigation.

Solicitor Greco stated if he borough would be sued the first thing, he would do is to contact the Borough Secretary who would notify our insurance carrier to see if there is coverage and our tax payers are not on the line. He stated in the event the insurance company would not defend us he stated he would then be involved in that adding typically we would go to the insurance company first.

Solicitor Greco stated he would address any legal questions that arise by any council members and is available to talk to any councilmembers. He stated he attends meetings, that is all part of the retainer. Solicitor Greco stated whatever legal issues come up he would be involved in that. Mr. Dowkus asked if he keeps council in the corral of Roberts rule of order. Solicitor Greco replied, “yes, I try my best.”

Mr. Dowkus asked if the Solicitor could elaborate on the sunshine law and as part of the retainer, anything that is not happening at the meeting and as the billing the borough per hour for anything that would not be included in the retainer. Solicitor Greco replied another aspect is making sure council does not violate the sunshine act or have any deliberations outside of a public meeting and making sure the meetings are advertised. He stated he never met with councilmembers that would constitute a quorum nor would he, adding that could potentially violate the sunshine act.

Solicitor Greco explained with the sunshine act there are certain exceptions to discuss personnel, contracts, pending litigation or purchase of land. He continued to say his job is to guide adding he is always available to talk to the council, mayor, secretary, police, treasurer, all of those who reach out to him on various issues. Mr. Dowkus stated he just is asking so everyone in attendance understands the retainer and the billable amount is put together and we are all on the same page.

Mr. Fanella questioned the solicitor on the grass cutting that has been done and the lien process and questioned if we are going to do that. Solicitor Greco replied there is a set procedure that must be complied with before you can do that. He went on to explain first you must send owner a notice of deficiency and give them time to cure the deficiency and post the property. Solicitor Greco stated after we go through these legal steps then we could file the lien and when the property is sold that is when the borough would re-coup their money.

Solicitor Greco stated multiple liens may be placed on a property and they would accumulate. He added if the property goes into the repository and to the judicial sale, then the liens are wiped out. The Solicitor stated there are a lot of times when you do get paid, not all properties go into the judicial sale. Mr. Fanella stated this is something we could all think about and asked for a list of guidelines they must follow. Mr. Fanella stated we currently are keeping track of the properties that we are cutting. Mr. Fanella said he just wants everyone to know we currently have about 13 properties that we are cutting the grass.

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

No Report

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

Report Attachment #4

Mayor Bozza questioned the report from December 23rd to the 26th if all those listed are citations. Mrs. Owens replied that they are all citations on the mill. Mrs. Owens explained that originally, we were citing for trash and stated she was told to issue citations for both trash and grass.

Mr. Bielskie stated one thing we talked about an amendment, we missed on the Quality of Life Ordinance snow, it was brought to our attention by the Chief. Mr. Bielskie stated we cannot throw snow into the driving street. Mr. Bielskie stated that we did add it and we need to get it approved here. Solicitor Greco stated we cannot just do it by a motion.

Mr. Bielskie stated he just wants everyone to know we are going to bring it in for approval. Mr. Chesney stated it was in the Mayors report adding he mentioned at the last meeting. Mayor Bozza stated he did not catch that it wasn’t in the Ordinance until the Chief brought it to his attention.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated the food surplus will be held on January 16th from 8 a.m. until 12 noon at the Borough Garage.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to have the 2006 zero turn mower repaired for a cost not to exceed \$400.00 to Ringtown farm equipment.

Mr. Dowkus questioned if we should put it out to bid questioning if someone like Watkins would possibly be able to repair. Bruce Graff replied we purchased it from Ringtown Equipment and that is why we took it there for the repair adding they are pretty good, and we have never had a major problem with it adding it is 13 years old.

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

MOTION- Mr. Fanella made a motion and was seconded by Mr. Sinopoli to purchase 4 sections of broom for the street sweeper at a cost of \$228.00.

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

Mr. Fanella stated we had a contact person come in from BIG HOUSE, basically work is done in each prison, some do furniture, some work with metals and such. Mr. Fanella stated we looked at a metal bench, a cost of approximately \$600.00. Mr. Fanella stated the set up the police now have is not working, it's a corner type angled bench and we have already had the wall damage while holding a person. For our officer's safety the bench we are looking at would allow to be shackled to the bottom and cuff them at one or two different places.

Mr. Fanella stated he discussed this with the Chief, and he agrees this would work for them. Mr. Fanella stated he would also like to have the wall repaired and have diamond plate installed so that the wall could not be damaged. Mr. Fanella stated the bench will be about \$600.00 and two sheets of aluminum diamond plate will cost approximately \$1000.00 in all.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to spend up to \$1000.00 to purchase a bench for the police department holding cell and to repair the wall with aluminum diamond plate.

Mr. Chesney stated he though this was all to be included with the construction of the police department years ago when that room was set up, he stated he did not know this was coming up or he would have researched it. Mr. Chesney stated the cost of that room was very steep and he thought that was all to be included.

Mr. Motyka replied they could look at the blueprints, he does think there was a different wall type called out for it. The Chief stated it is normal drywall. Russ Moroz stated which wall has concrete and different and stated the other walls are drywall.

Russ Moroz stated the only thing they did in there was put in the corner benches that they could be bolted to the rail. Mr. Slaby made the comment that a jail cell should have been installed. Chief Foust replied if you put anyone larger than himself on that wall mount, they come off the bench. Mr. Slaby stated when he came here 18 months ago, he could not believe that it was better up at the old Wilson building.

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

FINANCE/PURCHASING– ()

No Report

CODE HEALTH AND SAFETY ()

No Report

ORDINANCE COMMITTEE - ()

Mr. Bielskie stated there is one on the table that they are working on and will keep everyone updated.

GRANTS/RECREATION – ()

No Report

PERSONNEL- ()

No Report

Mr. Motyka questioned if we need to make a motion to advertise for open vacancies.

Mr. Chesney asked the news reported to put it in the article the vacancies Health Board/Physician, and Vacancy Board.

The appointment for the vacancy board was discussed by council before a motion was made to appoint Mr. Niglio to the vacancy board.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Sinopoli to appoint Mr. Paul Niglio to the vacancy board.

Mr. Slaby stated he understands Mr. Niglio is willing to accept that position.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)

7 YEAS – 0 NAYS

FIRE/EMA/POLICE COMMITTEE – ()

No Report

Mr. Chesney stated they are trying to arrange the meeting with the Fire Department and to arrange a yearly meeting with the Police.

Mr. Motyka questioned if we need to advertise that meeting since it would exceed the number of Council. Mr. Slaby replied, no the meeting is just with the committee at that point. Mr. Fanella replied, the committee and the Mayor will meet with them and then bring the information back to council.

Mr. Fanella addressed Mr. Slaby and stated he thinks we need to send the Fire Department a letter. Mr. Fanella stated at the meeting last year they were asked to not have their training meeting on our meeting night. Mr. Fanella stated parking as you can see tonight is difficult. Mr. Fanella stated at that meeting they said it would be no problem but then after a few months they just went back, and it causes a problem for people to park. Mr. Slaby suggested he meet with the Fire Chief before sending a letter. Mr. Fanella stated he spoke with Jeff Gilotti and was told he will need to talk to Ray Siko. Mr. Slaby replied he will talk with all of them.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Joseph Mirarck of 1115 Poplar Street. He said there is a residence on the 900 block of Scott Street where they have been doing demolition of three homes. Mr. Mirarck continued to say during the demolition process of those homes their sewer lines were damaged. Mr. Mirarck stated they needed to have proof and so Roto Rooter was out, and pinpointed where the break is, and it is on their property. He said they probably did not know the lines were there because the KMHJMA Sewer Authority does not have records on where those lines are at.

Mr. Mirarck said his daughter and three grandchildren need to come to his home to get bath's and do laundry. He said there are two elderly neighbors affected next door and stated where they are going, he has no clue.

Mr. Mirarck stated he is liable to fix that sewer adding that is what Mr. Bielskie told him, he is liable to fix that sewer. Mr. Bielskie replied that he spoke with him many times, the code officer talked to him many times. Mr. Bielskie stated the Police Chief stopped down, adding the reason was that he wanted him to know where it was at. Mr. Bielskie stated 27 feet from the garage, and it was right where he took trees out, adding he is almost positive while taking the trees out there were roots there and then damaged the line.

Mr. Bielskie commented he does not know why he didn't just dig it up and fix it, he had the machine. Mr. Bielskie stated they are stubborn, and they just won't do it.

Mr. Bielskie then said as far as he is concerned this guy is causing a public nuisance at this point. He continued to say when one person takes away the livelihood of three or four other families because the sewer line is blocked, and he will not take care of it.

Mayor Bozza questioned the Solicitor on if there is anything, we could get involved with there. The Solicitor replied, "it is almost sounding like a civil action to him." Mayor Bozza agreed and asked if we could push this along.

Mrs. Mirarck stated that it is hazardous because the sewage is piling up where the break is and stated there should be a stop work order until the sewer line is fixed. Mr. Slaby stated his question is who do the sewer lines in this borough belong to, the borough or the sewer authority.

Mr. Bielskie explained back years ago when the coal companies built these places, they took one common line up and went to four or five houses. He continued to say this happens to be that situation adding it is not these people's fault that its damaged.

Mr. Bielskie stated it could get to the point where we could close these properties down because of sewage. Mayor Bozza concluded this has been going on for a month, asking if the sewage line is broken, where is the sewage going. Mrs. Mirarck replied it is going on his land. Mayor Bozza then said he does not know the law but believes that is would be a DEP something, health hazard, something. The Solicitor stated as far as civilly there may be some deed restrictions. Mrs. Mirarck replied there is not and stated they checked into theirs and he checked into his.

Mr. Bielskie stated luckily, he was made to get demolition insurance to cover if he did any damage. Mr. Bielskie then said he refuses to use the demolition insurance or fix it. Mayor Bozza stated we all got a letter where this person said he offered to fix it and asked if that was true. Mrs. Mirarck replied, "no."

Mr. Mirarck stated they had talked about running it down on the property next to his because he did not want it on his property whatsoever. Mr. Mirarck stated he said that is fine they will run it down and put a 45 end and then run it and tie into where the other sewer line runs from the other two houses he tore down.

Mr. Mirarck stated he wanted it done right then and there and said he cannot give permission to dig up somebody else's yard up to run the sewer down and plus you need to call pa one call, which they did and they said there is a gas line that runs up the middle of that yard, they said it is dead but still I cannot give you permission to dig someone else's yard up to run a sewer down.

Mr. Bielskie stated Freddie Edmondson owns the other house and said he would give permission to run it down his yard but then at the bottom of the yard towards the street they would need to run across to where the tap is.

Mayor Bozza questioned what the sewer authority is saying. Mr. Fanella replied the authority only owns the main. Mayor Bozza stated this guy has the main, that is basically the main with other houses tied into it. Mr. Fanella replied it is a main lateral, similar but it is on private property.

Solicitor Greco asked the Mirarck's when someone looked at the deed if they went all the way back and not just at the current deed. He continued to say many times there are deed restrictions that address these common shared sewer lines. Solicitor Greco stated they are old and may not be in your deed but may read subject to any conditions reservations easements in prior deeds. The Solicitor stated with that, adding he has seen it many times it may be in the chain of title. Solicitor Greco stated if that is the case all those people that are connected may need to share the cost of repair.

Mr. Bielskie said the Mirarck's already put the money out to get the Roto Rooter there to find out where it was at and they did their part in the help, now it is time to open it up and fix it. Mr. Bielskie stated they could fix it now and decide what to do in the Spring. Mr. Mirarck stated he just did not want the sewer line running across his property, that night when they talked about running it down the yard, he said "I will do it tomorrow." Mr. Mirarck stated that he told him he could not give him permission to dig that guys yard.

Mayor Bozza asked if the sewer main line is in the alley. Mr. Mirarck replied yes but it does not come all the way up. He stated if he had to go through Edmondson's yard and then down the street that is quite a distance to the man hole and then he would need to go beyond the man hole. He added the lines don't empty in until past 20 feet or so of that man hole.

Mayor Bozza questioned the Solicitor on what we can do. The Solicitor replied that it sounds like a potential civil action, however if we are talking about months of raw sewage being dumped there that is a health hazard. Mr. Bielskie then stated, does he as the Code Official condemn their houses and throw them out, that is the process there. Solicitor Greco replied condemnation is the last resort and stated Heather Owens could just keep on citing, daily.

Mayor Bozza asked the question why the four of them cannot just run a plastic sewer line. Mr. Mirarck stated he talked with him on Monday night, they talked about running down Freddie Edmondson's yard, he said Freddie said we will need to get permission and documented papers and said I will need permission from you to boarder the street and the property all the way down to where this other line apparently ties in further down. Mr. Mirarck then said he was told he needs to talk to Jr. and stated he guesses the property is in his boy's name. Mr. Mirarck said he never called him back.

The Solicitor questioned the Code Officer if there are any violations, she could cite him with. Heather Owens replied her understanding was that it was a civil issue. She stated originally it was proposed that they will all split the cost and fix it right then and there. Heather Owens stated these folks were not for it and it was his fault. Mr. Slaby asked if the discharge is from the individual you are insinuating. Mr. Bielskie replied, "no." Mr. Bielskie added it is from their families and two other ladies that live there.

Mr. Mirarck stated the neighbor next to us where the older couple live and then our two homes are converted into a single, Edmondson's and then Thomas's home and that is where the line ran down and apparently runs down and ties into the other line. Mr. Bielskie stated he is trying to play hard ball, he said nobody is allowed on the property unless a professional. Mr. Bielskie stated he talked with him and said to him let's get it fixed we know where it is at, they had the machine there. Mr. Bielskie stated he said he told him he would fix it. Mr. Bielskie stated at that point he thought it was going to be taken care of. The Solicitor asked Mr. Bielskie if he would get in touch with him again. Mr. Bielskie agreed.

Mr. Dowkus commented no offence to anybody, but it is like, it's my garbage and I am dumping it onto your lot and your going to get fined for it. Mr. Bielskie stated that is not the way it works because that line was put in as a common line, and then went to these four or five houses.

Mayor Bozza asked Mr. Mirarck if what he is saying is that he is willing to fix this and are saying he is not getting back to you about permission to get on his property to tie this all in. Mayor Bozza commented, so we are only looking for permission from him to get on his property to tie this all in.

Mr. Bielskie stated what we need to do is to see how wide that street is and how much space is on the side of the street until we hit his property room, do we have enough room to dig down, then we don't need him. The Code Officer Heather Owens stated he is ok with them going across his property.

Heather Owens stated what he is saying is he does not know what he wants to do with the property yet and stated what he is saying is what if he wants to build a basement and has a sewer line running down his property. Mr. Bielski replied we are not going down his property, we are going down Freddie's property. Heather Owens stated he does not have a problem with it running down by the street. Mr. Bielskie replied, "we need to get it in writing from him."

Mr. Mirarck then stated now is the time to straighten it out. Mr. Mirarck continued to say the night they talked down there Freddie had to leave and stated he wanted an answer now. Mr. Mirarck stated he cannot give permission to dig that mans yard up.

Mr. Mirarck stated he was told that he would have the machine tomorrow and stated it would cost us \$2,000.00 and even suggested that we even pitch in to cover the older peoples expense because they do not have the money. Mr. Mirarck stated that he replied

to him that was fine but again he could not give permission to dig on that mans yard up and then things escalated and here we are today, nothing is done.

Mayor Bozza stated we need to start fining for this raw sewage. Mr. Bielskie stated he is going to say it is not his. Mr. Bielskie replied, "but he caused the leak." Mr. Slaby asked but where is it coming from. The Solicitor replied yes, but he caused the damage. Mr. Slaby asked Mr. Bielskie to reach out to him again and Mr. Bielskie agreed.

OLD BUSINESS –

Mr. Motyka stated at the last meeting it was talked about the audit cost of \$8,500.00 a year and kind of brought up how the last council stuck this council. He stated if you look back under the budgets the auditor bills were \$5,350.00 a year and now it is \$8,500.00 a year and so the only difference is \$3,150.00. He added if you follow through this budget it indicates the new auditor was hired under the previous two years of council. Mr. Motyka stated he does not want the public to think moving into this building was a detriment to the town because it was not.

Mr. Motyka stated we were spending \$60,000.00 for heating oil up there and the way it was put last week was that the previous council from three years ago left this council with an \$8,500.00 a year auditor bill and that is not the case at all.

Mr. Bielskie replied saying the auditor bill is just for the USDA, that is not for the Borough. Mr. Niglio stated that is the whole audit for the Borough and then said we don't have elected auditors anymore. Mr. Motyka stated you could still grandstand about the \$3,100.00 but don't think the \$8,500.00 was stuck and from the previous council.

Mr. Chesney explained because of the USDA loan you must have an official audit and that is the charge. Mr. Motyka stated from 2018 and previous you are then saying we did not have that audit done. Mr. Niglio replied no and then stated our audit was done by elected auditors.

Mr. Bielskie stated this is a requirement from USDA. Mr. Motyka questioned Mr. Niglio why then it was in the budget for \$5,350.00. Mr. Niglio replied he did not know when we were going to get the loan, so it was in the budget. Mr. Niglio stated his estimate was between \$4,000.00 and \$5,000.00 which is still what he feels we should be paying.

Mr. Niglio stated he was not in negotiations of that contract and had no say. Mr. Niglio then stated if he was privy to it, he would have recommended we don't sign it. Mr. Niglio stated he did have reservation with the prior council president, but it did not matter.

Mr. Motyka stated he was kind of mad we are paying \$8,500.00. Mr. Chesney commented "you are not the only one." Mr. Motyka questioned if we could petition the USDA and questioned how long if the contract that we signed. Mr. Niglio replied it is a three-year contract.

Mr. Motyka stated he is working on a worksheet of the old buildings utilities which were astronomical and stated he wants to work with Rhonda on the new building's utilities.

Mr. Motyka stated USDA required us to raise taxes 3 mills for this building. Mr. Niglio stated the USDA did not require us, that is how we were going to pay for it.

Mr. Chesney objected and said no and stated again we are not going to get into a tug of war here but the decisions that were made to build a million-dollar building, this is still the fallout from that. Mr. Chesney stated all those monies that were going to be borrowed and transmitted down there are now up in here and this is certainly not a million-dollar building. Mr. Chesney stated it was \$300,000.00 to buy and \$300,000.00 to renovate and there are still very big problems that should be addressed. He stated that is where this all came from the original 1.4-million-dollar plan and we are still living through that and trying to swim our way through that and that is a fact. Mr. Motyka said we are still much better off with the savings from the old building and added he will prove that. Mr. Chesney stated it is good people are hearing it but maybe some of this should be done a little bit more in private because again this previous old group blab la blab, that's a bunch of bull..... that must be flushed.

Mr. Chesney stated what needs to be done is really look at what was prepared and what was done. Mr. Chesney stated if ten different decisions were offered to save a million dollars but still pushed to get the million dollars and once you got the million-dollar loan, then you had to use it. Mr. Chesney stated this building should have been \$75,000.00 or \$100,000.00 to buy and you bought is for \$250,000.00. Mr. Chesney stated and then to renovate it to what you have here..... Mr. Motyka stated it is a matter of opinion. Mr. Chesney agreed and said don't say a savings when that could have been renovated also, he then said he rest his case. Mr. Slaby stated we will move on.

NEW BUSINESS-

None

ANNOUNCEMENTS

None

ADJOURNMENT

THE JANUARY 8, 2020 MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval _____