

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
DECEMBER 13, 2016**

Opening Prayer by Councilman Mark Burns
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose
On Tuesday December 13, 2017 at 7:00 p.m.

Roll call was taken and the following members were present: Mayor Novakoski, Bruno R. Varano, Stephen Motyka, George Malakoski, Walter Lutz, Mark Burns and Richard Zigarski.

ABSENT: Nicholas P. Goretski, III.

APPOINTED POSITIONS: Treasurer Paul A. Niglio, Jr., Solicitor William C. Cole

PRESENT: Code Officer Russ Moroz, Borough Secretary Rhonda Wilk and Borough Supervisor Bruce Graff

OTHERS PRESENT: Stephanie Niglio, John Grinaway, Barry Fetterman, Joe Politza, Bruce Graff, Joe Cesari and Bob Chesney.

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

No one spoke

PRESIDENTS REPORT (Bruno R. Varano)

Mr. Varano stated that since Mr. Deitrick resigned we have a vacancy left open on council for the position of Vice President. Mr. Varano stated that he would like to step down and make a motion to appoint Mr. Motyka to that vacancy.

MOTION- Mr. Varano made the motion to appoint Mr. Motyka Vice President of Council and was seconded by Mr. Zigarski.

Mr. Lutz stated that he would like to appoint Mr. Zigarski. Mr. Varano questioned Mr. Lutz on if he was making a subsidiary motion. Mr. Cole stated that according to Roberts Rules if there is another motion to nominated a second is not needed, the candidate's names will then be voted on.

ROLL CALL VOTE- BURNS (Motyka), GORETSKI (absent), LUTZ (Zigarski), MALAKOSKI (Motyka), MOTYKA (abstain), ZIGARSKI (Motyka), VARANO (Motyka)
4 MOTYKA – 1 ZIGARSKI – 1 abstain

Mr. Varano stated that we had some damages to the new building by the movers that were hired by the County to move in the Senior Citizens and stated that we will have to do something about the damage that was caused. Mr. Motyka stated that he assumes that the County went through the right channels

in hiring a company to move them and stated that he is sure they have insurance. Mr. Varano stated that we will have to find out who the company was that was hired and we will take it from there.

Mr. Varano questioned if we got anything back on Senior Citizen Center contract. Mr. Cole replied that we had gotten an email that it was being circulated, it went to Mrs. Leonovich and then it was going to the County Solicitor and then to the County Commissioners for signature but we haven't gotten anything back. Mr. Lutz questioned when it was that the email went out. Mr. Cole replied anywhere from a week to ten days.

Mr. Varano stated that he is requesting an executive session at the end of the meeting for personnel, contractual and possible litigation.

MAYORS REPORT (Bernard P. Novakoski)

Mayor Novakoski wished all a Merry Christmas and stated that it is only two weeks away.

The Mayor stated that the Shamokin Rotary Club will be coming to town tomorrow night at 6:00 p.m. and the Kulpmont Sportsman's Association is going to be providing the food and the Kulpmont Knights of Columbus and Holy Angels will be joining together and will be singing. Mayor Novakoski stated that the Fire Station from Atlas will be there with our Auxiliary Police to do traffic control and make sure that nobody gets run over, the kids will be back and forth across the intersection. Mayor Novakoski stated that is all that he has and asked that everyone enjoy Christmas.

Mr. Lutz questioned the Mayor how we are doing on the police search. Mayor Novakoski replied that we are still looking.

Mr. Lutz questioned the Mayor if he knows what the coverages were for August, September and October. The Mayor answered no and added that he does not keep track of that. Mr. Lutz stated it was about 50% and asked if he knows where we are out on the budget, the expenditures to date. Mayor Novakoski replied no and stated that he just goes by the new budget for next year. Mr. Lutz questioned how the new budget compares to the Township proposal. Mayor Novakoski replied that we save money by providing our own.

Mr. Varano replied that it is about \$25,000.00 cheaper. Mr. Lutz questioned if that is the revised Township proposal. Mr. Varano replied that he did not get a revised Township proposal. Mr. Lutz stated that there is one and added that he has a bad number. Mr. Varano replied that he does not need a number. Mr. Lutz replied that the citizens need a number. Mr. Varano questioned him on how he figures they need a number when we are not in negotiations with these people. Mr. Lutz replied that to start talking to them adding that is how he figures. Mr. Lutz stated that the deal with it is that if it is less money it would seem that one would talk about it.

SECRETARY REPORT (Rhonda Wilk)

Rhonda Wilk stated that under correspondence a letter was received from the Kulpmont 100 about the Santa Sleigh adding that the Mayor had already covered that.

Rhonda Wilk stated that a letter was also received from MC4A, Athletic Alumni Club and stated that letter was copied to both Council and Mayor.

TREASURERS REPORT (Paul A. Niglio)

Mr. Niglio stated that everyone received a copy of the financial statement and a list of bills to be paid adding that a motion is needed to approve and pay the bills.

MOTION- Mr. Malakoski made the motion and was seconded by Mr. Burns to approve and pay the bills.

Mr. Lutz stated that he has a question. Mr. Varano replied “naturally.” Mr. Lutz stated excuse me. Mr. Varano repeated “naturally.” Mr. Lutz stated that he is confused and stated that when he sees in the packet that they were given he sees that bills need to be paid for December and asked what the total is questioning Mr. Niglio if it is the \$43,226.00 or is it the \$16,825.00 that they are voting on. Mr. Niglio stated that the bills to be approved for payment are on page 7. Mr. Lutz stated that he has a question on page 3 and asked if those bills were approved at the last meeting for payment. Mr. Niglio replied no, page 3 is the deposits. Mr. Lutz stated that there was another one that he was looking at. Mr. Niglio replied that page 4 the general fund checks. Mr. Lutz questioned if we approved those. Mr. Niglio replied yes. Mr. Lutz made the statement that so then we have \$17,000.00 for now.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (no), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
5 YEAS – 1 NAY

Mr. Varano stated that last month we had our meeting early and stated that there should be bills in there that have to be approved for November and asked if that is correct. Mr. Niglio stated that outside of any utility bills and bills we pay normally, yes they are today's paper. Mr. Varano stated that is all he wanted to know.

Mr. Niglio stated that everyone received a copy of the tentative budget and stated that this is tentative since we are still in a flexural movement there is a lot of things that will change adding that he does not know what they are until the year is over and stated that he made the changes to the items that were known based on the expenditures for the last two years adding that salaries had to be adjusted because council gave the workers a raise back in February and that was not budgeted. He stated that he had a request for a full time patrolman and so that is in there and also health and hospitalization went up two or three percent.

Mr. Varano stated that we got a pile of money back. Mr. Niglio agreed and stated that it will offset the increase but it is still in the budget.

Mr. Niglio stated that on the last page of the General Fund, we have been budgeting the 1.47 million which is the total amount that we were approved for and since we scaled that back to \$765,000.00 which was the updated project that was given to the USDA which our 3 mills support and so that is what is in the budget now. Mr. Niglio stated that other than that the budget will get fine-tuned for which we will then pass a final budget stating that these are preliminary figures and if anyone would like to make any changes he asked that they call him and meet with him. Mr. Niglio stated that a motion is needed to approve the tentative budget in the general fund receipts of \$1,462,790.00 with expenditures of the

same, the highway fund will have \$153,715.00 available with expenditures of the same and the police pension fund will have \$334,000.00 available with expenditures of \$20,500.00 leaving a fund equity balance of \$313,050.00. Mr. Niglio states that a motion is needed to approve.

Mr. Varano stated that we should be adopting the final budget this month. Mr. Niglio stated that the meeting is January 10th and stated that we will adopt the final budget in January adding that we did that last year also. Mr. Niglio stated that we didn't adopt a tentative budget in November simply because we thought we would be closing this month and with moving. Mr. Niglio stated that administratively it has not been easy up here for these two people working in this office. Mr. Varano replied that he knows that. Mr. Cole stated that the budget can be modified up until February 15th by law anyway and so it is not going to make a difference. Mr. Varano asked if we have a motion then to adopt this tentative budget.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Malakoski to adopt the tentative budget.

Mr. Lutz stated that he has a question, naturally. Mr. Varano repeated, naturally. Mr. Lutz stated that right here at the top on the first page the Difference 2016 to 2015, should be 2017 to 2016 and asked if that is correct. Mr. Niglio replied correct. Mr. Lutz stated a little typo, no big deal. Mr. Lutz questioned if he has anything else if he should just give him a call. Mr. Niglio replied yes, just call.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (no), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
5 YEAS – 1 NAY

Mr. Niglio stated that we also need to advertise the tax ordinance for 2017, keeping the real estate taxes the same as this year, 17 mills for general purpose 3 for street lighting and 3 for fire protection.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Motyka to approve to advertise the tax ordinance for 2017 with no tax increase.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAY

SOLICITORS REPORT (William C. Cole)

No Report

POLICE REPORT (Patrick McAndrew)

Attachment #2

Request made by officer in charge Patrick McAndrew to purchase a window blind for the window in the Police Department.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Burns to purchase a window blind for the Police Department not to exceed \$100.00

VOICE VOTE –

Unanimous

FIRE CHIEFS REPORT (Kevin O’ Hearn)

Report Attachment #3

EMERGENCY MANAGEMENT (Kevin O’ Hearn)

No Report

BUILDING INSPECTORS REPORT (Tri County Cog)

No Report

CODE/HEALTH ENFORCEMENT OFFICERS REPORT (Russ Moroz)

Report Attachment #4

A request made by code officer to purchase citations.

MOTION – Mr. Lutz made the motion and was seconded by Mr. Zigarski to purchase code citations at a cost of \$160.00.

VOICE VOTE –

Unanimous

Mr. Varano questioned where the order will be placed. Rhonda Wilk replied they will be purchased from Quality Print Shop in Northumberland.

SERVICE AND FACILITIES COMMITTEE (George Malakoski)

Mr. Malakoski stated that the surplus food will be distributed on December 15th at 8 a.m. until noon in the Borough Garage and he reminded everyone to bring their bags.

Mr. Malakoski stated that tires will be needed for the 2011 bobcat and stated that we did not purchase tires for it since we purchase it and stated that the tires are ok for the summer time for another year or two adding that he got a price for four tires and rims for a cost of \$1020.00 and this way we could just switch them off in the winter time.

MOTION- Mr. Lutz made a motion and was seconded by Mr. Malakoski to spend up to \$1050.00 for four tires and rims for the bobcat.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAY

Mr. Malakoski stated that they got a price for line paint adding that it is not needed right now but it will be this summer. He stated that they are giving us a deal on it for ten five gallon buckets for \$1173.25 up until the first of the year and asked council if they would like to act on it now. Mr. Varano questioned the Treasurer if we have the money. Mr. Niglio replied yes.

MOTION – Mr. Lutz made the motion to spend up to \$1200.00 and was seconded by Mr. Malakoski to purchase line paint from Sherwin Williams.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAY

FINANCE/PURCHASING COMMITTEE (Stephen Motyka)

Mr. Motyka stated that he sent everyone an email from when they met earlier where it showed the loan breakdown. Mr. Motyka stated that we are going to have to figure out the final breakdown so that we can close out the loan. He asked if we want to meet again and possibly shoot for early in January. Mr. Motyka stated that we need to decide on how we are going to close out this loan adding that it has to be discussed at some point.

Mr. Lutz questioned if there is some pressure from someone to close out the loan. Mr. Motyka replied that Mr. Niglio stated at the last meeting that the interest rate should hold until the end of the year but now you see that the Feds may at the next meeting raise the federal reserve rate.

Mr. Niglio stated that the building is not done, we can't close the deal. Mr. Lutz added that making a determination on closing the loan out based on the federal rate, and asked if there is no pressure other than there may be higher interest rates.

Mr. Motyka stated that possibly next month we may want to meet to basically wrap our heads around where we are at with everything. Mr. Lutz questioned if we have a detailed listing stating that he thinks that the bid was \$297,000.00 and what we spent, where the overruns were. Mr. Motyka replied that Rhonda made a spreadsheet to date with the original contract amount and the change order amount and so with this document here we would be able to decipher what we spent above and beyond what we spent. Mr. Lutz questioned if he could get a copy of that. Mr. Motyka replied that Rhonda could get him a copy. Mr. Lutz asked Rhonda to place a copy in his mail. Rhonda Wilk agreed to do so.

Mr. Lutz stated that the dilemma is that depending on what happens with the Wilson building will determine on how the rest of the funds are used. Mr. Lutz stated that he sees that later on in the agenda there is a deal to actually advertise to sell the Wilson building and if it gets sold then that is a big difference and if it does not get sold, as Mr. Niglio made a very good point a few meetings ago to knock it down adding that the last thing we need is another derelict building. Mr. Motyka stated that he thinks in the original breakdown we had \$150,000.00 allocated and of this breakdown he shared we had

a total of \$970,000.00 and the revised is \$760,000.00. Mr. Niglio stated that in the revised the amount was \$765,000.00. Mr. Lutz stated that if you go up any higher you would then need to raise taxes. Mr. Lutz stated that the deal with it is that there should be a big a.... the cash at the end of the year should be very substantial, very substantial. Mr. Niglio stated that the amount in the budget that you would need carry over is..... Mr. Lutz interjected that it was \$67,000.00 is what you have. Mr. Niglio stated that is correct and we should end in excess of \$100,000.00. Mr. Lutz replied it will be more than that, it is going to be quite a bit. Mr. Niglio replied that he is pretty conservative.

Mr. Lutz questioned Mr. Motyka on if the Geisinger responded to the letter. Mr. Motyka replied that we drafted a letter. Mr. Lutz stated for them to do anything, five years if you get a boot after them. Mr. Motyka stated that we will need to buy portable tables to create the same set up as we have in the current council meeting room stating that for a pack of four tables the cost is \$449.98.

MOTION – By Mr. Lutz made the motion and was seconded by Mr. Malakoski to spend \$475.00 to purchase four 8 ft. tables.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAY

Mr. Motyka stated that the rental registration is due at the end of the month and stated that some research was done and asked Mr. Burns to explain.

Mr. Burns stated that at every meeting we have been getting complaints about landlords and this and that and stated that he spoke to Russ Moroz about the percentage of time that he spends dealing with landlords and he said that the last few years he spends an average per year of 80% of his time dealing with landlords. Mr. Burns stated that he has a breakdown of what it cost to have Russ Moroz here for a year. He stated that not just his salary and benefits but everything down to the pencils in his desk.

Mr. Burns distributed copies of a resolution pertaining to landlord registrations of rental properties. Mr. Burns stated that we have a total of 231 rental properties as of yesterday with a total of 94 landlords. Mr. Burns stated that our current fee is \$50.00 per landlord which brings in \$4700.00. Mr. Burns stated that out of the number you see here which is \$43,162.00. Mr. Burns stated that right now he is doing about 80% of his work for landlords and they are paying about 11% and states that he will make a motion to increase the landlord fee to \$120.00 per property which would bring in what they pay up to \$27,720.00 which would be approximately 63% of this \$43,162.00 amount.

MOTION- Mr. Burns made the motion and was seconded by Mr. Zigarski to increase the fee to landlords to \$120.00 per property.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (no), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
5 YEAS – 1 NAY

Mr. Burns stated that he distributed a copy of a Resolution to add PSP background checks and fees for background check.

MOTION- Mr. Burns made the motion and was seconded by Mr. Lutz to for PSP background checks to be turned in for new renters.

VOICE VOTE-

Unanimous

Mr. Motyka stated that he would like to purchase magnets with the money allocated for education from the recycling grant and include a mailing with them to each household. Mr. Moytka asked for other council members input on what information may be included in the mailing so that something could be put together.

Mr. Motyka stated that we received correspondence from our insurance carrier recommending to increase coverage on the new borough building at a cost of \$105.00 yearly. Mr. Motyka stated that the coverage would be increased from \$797,147.00 to \$915,960.00.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Motyka to increase coverage on the municipal building at a cost difference of additional \$105.00.

VOICE VOTE-

Unanimous

Mr. Motyka stated that two price quotes were received, one from Robert M. Sides Family Music Center for relocation of the boroughs sound/recording system for both wireless and wired microphones and quotes were provided to councilmembers for review. Mr. Motyka stated that Alert Data provided a quote to relocate the current system and speakers and equip the Borough with a wireless compatible system at a cost of \$2200.00.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Lutz not to exceed \$2200.00 to have Alert Data relocate the sound system.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated that Alert Data provided a price quote of \$1525.00 to install two cameras previously purchased and five additional cameras outside and inside the Borough Building.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Motyka to have Alert Data install cameras inside and outside the new Borough Building for a cost of \$1525.00.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated that he would like to hold an additional meeting on January 24th to discuss DCNR funding and stated that maybe by then we will have heard from some of these other private grants we applied for. Mr. Varano stated that we are advertised for every Tuesday anyway. Mr. Motyka stated that on the 10th of January we will make a note to the paper that we will have a recreational meeting on the 24th.

Mr. Motyka stated that he started to meet with these groups three years ago and stated that it has always been about the matching funds and stated that he can see here on the budget where we have recreational parks and questions the Treasurer if that allocation of money goes into a fund if we do not use it all or does it just go back. Mr. Niglio replied that it stays in the General Fund.

Mr. Motyka asked if there is any way that we could allocate say \$5,000.00 a year so that in five years we have \$25,000.00 and in five years we could build another playground, it would probably cost \$75,000.00. Mr. Motyka stated that if we allocated money we could approach some of these grants adding that right now our hands are tied because we have no matching funds.

Mr. Motyka stated that currently we have a good chance of getting some private funds this time around but without a piggy bank per say, we will never have any way to fund these projects. Mr. Motyka asked the Treasurer if that is something that can be done.

Mr. Niglio replied yes and added that you have got to be able to fund it and stated that the biggest problem that the borough faces is that we do not have a zero based budget adding that our revenues do not meet our expenditures.

Mr. Niglio stated that one example he will use is that five years ago our Council tried to increase the landlord fees to cover the cost of the code enforcement officer and the council at that time decided not to and so they never paid for the full time position when they hired the full time code officer. Mr. Niglio stated that it created a big hole in the budget because nobody came up with the money to pay the salary and that is the problem.

Mr. Niglio stated that at the end of the year if we have a carry over, which we haven't had a big carry over in the last two or three years due to the fact that we spent our money on the building. Mr. Niglio stated that if you designate at the end of the year if you have a carry over and say "I want to put \$5,000.00 away for recreation", you could do that but you can't guarantee that every year because you don't know what you will be faced with every year in outside expenditures. Mr. Niglio stated for example this year there are some things that we already know that we are going to need adding we will need a new riding lawn mower that will cost \$5,000.00 and stated that is not in the budget per-say but stated that he knows we will need it.

Mr. Motyka stated that when he met with DCNR he was told that along with the public meeting for public input if you could allocate \$5,000.00 per year and have a maintenance fund or improvement fund of \$5,000.00 that is looked upon favorably and increase your chance to obtain a grant.

Mr. Motyka stated that in the last four years just the phone bills we saved from our old phone bill of \$12,000.00 or \$13,000.00 to a \$2,250.00 per year phone bill and so we have a lot of savings in the last four years and questions if there is not a way that he could make a motion to allocate a \$5,000.00. Mr. Niglio replied in January.

Mr. Lutz replied that he could do it adding that he just cannot do it for say five years and stated that Mr. Niglio stated we don't know and with a zero based budget, which Mr. Lutz stated he will not get into all of that. Mr. Lutz stated that in January there is \$5,000.00 and unless we get 10 ft. of snow dumped on us, it's going to be over \$100,000.00 left. Mr. Lutz stated that then you can say that we started and that he thinks they would find that acceptable. Mr. Lutz stated that if then this budget was set up where there was a cash target on a monthly basis, you could even go out until the end of December next year and say that based on this budget if the river doesn't rise and the sun spots don't get us and all of this bullshit we would be looking to do another \$5,000.00 next year adding that we can't guarantee it.

Mr. Motyka stated that if the grant goes in during April and maybe we will allocate in January. Mr. Lutz replied yes and at the January meeting you will have a definite number of what is in account as of December 31st adding there is \$5,000.00 there. Mr. Motyka replied that is the big handcuff on all of these grants, we have no allocation. Mr. Lutz questioned if he has a project. Mr. Motyka stated that we have a grant in with a private group that we do not have a commitment on but hopefully \$25,000.00 is going to come back to improve the ADA parking.

CODE/HEALTH/SAFETY (Nicholas P. Goretski, III.)

No Report

Mr. Varano stated that we already had the clarification on the rent to own.

ORDINANCE COMMITTEE (Walter Lutz)

Mr. Lutz made the statement to Mr. Cole that the ordinance that he thinks they gave it to him a bit ago about the height of grass and that you can't let snow pile up and then questioned Mr. Cole where we are with that. Mr. Cole stated that again, he can make any changes that are wanted and questioned if we agreed on what modifications as far as like that.... Mr. Lutz answered that he thought that they did and stated that 8" of grass can't get higher than 8" and you know, I guess we could send some snake hunters in there at 8".

Mr. Lutz questioned what he needs and stated that he is under some kind of misconception as to what is needed and stated that he thought he had everything. Mr. Lutz asked what he needs and asked if he needs this piece of paper where the Council agrees and held a paper up. Mr. Cole replied yes and said that then what he will do is fax it or email it to Rhonda and then we will circulate it to everyone. Mr. Cole stated that if we have all of the particulars we could make a motion to advertise at this point. Mr. Lutz stated that we are going to do it again and that we will send Mr. Cole an email.

Mr. Lutz stated that the Mayor had asked him to look into the landlord registration ordinance of Berwick. Mr. Lutz continued to say that the deal was 2007 and it got all of the way up to the Federal Court in Philadelphia and this thing was not solved until 2012 and pretty much Berwick won the deal.

Mr. Lutz stated that the biggest thing in this ordinance is that a code guy can go into a rental unit. Mr. Lutz stated like Russ always says "I can't go in," and as Mr. Varano suggest to use "I smell smoke." Mr. Varano commented that it works.

Mr. Lutz stated that it is 25 pages and stated that he thinks that it would be imperative that everybody read this stating that he will give it to Mrs. Wilk to get to everyone. Mr. Lutz stated that hopefully by the next meeting everyone will read it. Mr. Lutz stated that he thinks some of the issues Mr. Burns has are in there and stated that this ordinance is tuff. Mr. Lutz continued to say that this is tuff, you get this deal and then you can't rent anything for a year. He added that it is like you get a license to rent and if you get that license revoked, then you have big trouble especially if you have a thousand properties.

Mr. Varano stated that we did base our original ordinance on Berwick's and so did Mount Carmel adding that Berwick's was much tougher. Mr. Lutz stated that even if the live 15 miles away from the rental unit they have to have on file someone to contact, this is no messing around kind of stuff.

Mayor Novakoski stated that it is a good ordinance and most of the cases when a landlord disputes them he does not think that they have not lost one. Mr. Lutz commented that if you are a good landlord then it should not bother you at all, they should say "yes, let's get all of the bad guys out of town."

Mr. Lutz stated that the next thing was Mr. Motyka on his deal on when he was going to send out to the public and asking about the ordinances, but when you look at it on the website a good bit of it is tax related every year, like in 2016. He continued to say that he only looked at 2016 down to 2010 and stated that he will look into it.

Mayor Novakoski thanked Mr. Lutz for looking into that ordinance.

RECREATION (Mark Burns)

No report

PERSONNEL (Richard Zigarski)

No report

BUILDING COMMITTEE (Stephen Motyka)

Mr. Motyka stated that ECI should be back to finish Monday or Tuesday to the office door and touch up.

Mr. Motyka stated that on the approval for payment he stated that he would like to meet with the architect. Mr. Motyka stated that he had sent the architect dozens of emails and he does not get any response from him adding that he has been going directly through Russ and he stated that he cannot get anything out of Russ either.

Mr. Motyka stated that we have never seen their punch list and we had a liquidated damage clause of \$500.00 per day and our guys have not had heat for the last three weeks. Mr. Varano said that we do not have it again, we had it for three days and now we don't have heat again. Mr. Motyka questioned on what we may be able to do asking if we could impose any of this liquidated damages because we have been suffering and it really did push our move date for the Senior Citizens by two weeks. Mr. Varano stated that it is also killing our closing date.

Mr. Lutz questioned if we owe any money to the architect. Mr. Motyka stated that we may have a final payment. Mr. Varano stated that he feels like until we figure this out and find out where we stand and where we are at. Mr. Motyka stated until then he does not think we should pay any more money. Mr. Varano stated that he agrees with him.

Mr. Lutz stated that there are some serious problems down there at that building and stated that the parking deal, they had to dig it out and they did not change the width of the street and questioned how they did not pick that up and said we paid them \$28,000.00.

Mr. Motyka stated that for instance that pipe is in the middle of a parking spot and if you look on the prints it is at least 4' south which would give you access to that first spot. Mr. Lutz questioned if there was supposed to be 6 parking spots there. Mr. Varano replied 5 or 6. Mr. Lutz stated that the deal with it is that it is a safety hazard. Mr. Lutz stated it is a problem.

Mr. Motyka stated that eci wants \$47,000.00 to close out the contract but stated that he feels that they should pull out that pipe and pave it over. Mr. Motyka stated that also in addition to the pipe there was a line painted showing of the hazard and that was never done.

Mr. Lutz asked if we ever got the waiver on the grade of the walkway because he is understanding that we may have to get a handrail. Mr. Lutz stated that the deal with it is that the architect screwed up on the five-inch pipe when we first started and Russ said he screwed up on these heaters and added that he cannot imagine that we would pay any bills and suggest that we just sue them.

The Borough Solicitor William C. Cole stated that also a suggestion to council would be that a committee should go through with a punch list before anything else is done and basically say to these guys here are the bullet points and we are not going to make any more payments until that is resolved.

Mr. Motyka stated that he has never seen the architects punch list and said that it could be next week. Mr. Motyka questioned what Mr. Cole thinks about liquidated damages stating that we had the \$500.00 clause in there that it had to be done mid-November and we are three, four weeks past that now. Mr. Cole replied that we can certainly look into that and review it and if the board would like to discuss it to any detail or length we should discuss it in executive session but states that we can certainly look into it.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Lutz to not pay any contractor bills until it is discussed and a punch list is reviewed.

VOICE VOTE –

Unanimous

FIRE/EMA/POLICE COMMITTEE (Varano, Zigarski and Burns)

Mr. Varano stated that we had several meetings with the Fire Department and stated that we finally agreed on building a new building down on our Fir Street property, approximately 50'x 100' if his memory serves him correct. Mr. Varano stated that it would have 4 or 5 bays and the only thing that we had to iron out was how we were going to pay for it and stated that if we sell this building instead of tearing it down we will have \$100,000.00 to \$150,000.00 in equity. Mr. Varano stated that he does not

know if that will be enough and stated that we may have to borrow another \$50,000.00 and stated that he suggested to them that they borrow it and get that 2% fire commissioners loan instead of us getting a loan for 3.5 or 4%.

Mr. Lutz questioned if there are minutes of that meeting and questions if he was there. Mr. Varano replied that he was at one of them. Mr. Lutz stated that he was at one of them when Mr. Varano tried to throw him out. Mr. Burns replied that was the last one. Mr. Varano directed a statement to Mr. Lutz that it was because it was a committee meeting and there are no minutes from a committee meeting. Mr. Lutz stated that he was a citizen above the committee. Mr. Varano told Mr. Lutz that it was a committee meeting and he couldn't be there. Mr. Lutz stated that he will not argue about that now and commented that we will do that later.

Mr. Lutz questioned if it was that meeting where they agreed to it. Mr. Varano replied yes. Mayor Novakoski stated that as long as they do not have to pay for it they will agree to anything. Mr. Lutz stated that if you don't have to pay for it then he needs a new garage at his house. Mr. Lutz stated that on \$50,000.00 for a 10-year loan it would be \$485.00 and with Mr. Lutz contribution and Mr. Varano's contribution it will pretty much pay for it. Mr. Niglio replied that he is not going to be here long enough to contribute. Mr. Lutz stated that he thought he would continue to pay when he left.

Mr. Varano stated that he does not see anyone here from the Fire Department so we can't get an answer on if they are going to go for that 2% loan adding that we are not going to wait and stated that if we have to pay for the whole thing then it will come out of their allotment. Mayor Novakoski questioned Mr. Varano if the borough gets the loan if we would have to meet federal guidelines and standards and so forth. Mr. Varano answered probably. Mr. Lutz questioned what loan and asked if it is the loan difference. Mr. Varano replied the whole project, if they take it under their wing..... The Mayor interjected and said that they do not have to deal with anything.

Mr. Lutz questioned Mr. Varano if we have the plans for the building. Mr. Varano stated that we have the plans but if we buy a steel building they come with their own engineering plans. Mr. Varano stated that Mr. Motyka had quotes for a 50' x 100' building and asked Mr. Motyka is that was correct.

Mr. Motyka replied that they were from Pioneer Pole building and were the same exact design as we designed four years ago. Mr. Lutz asked if it was the same exact design for a fire station or a garage. Mr. Motyka replied it was for a garage. Mr. Lutz questioned if there was any difference between a garage and a fire station. Mr. Varano replied "none at all." Mr. Lutz questioned Mr. Motyka on the cost and asked that he just estimate it. Mr. Motyka replied it was about \$180,000.00 dollars if the borough builds it and stated that it does not include the utilities and stated that these numbers would have to be discussed with the fire company. Mr. Varano commented that he did get prices from other steel building manufacturers anywhere from \$52,000.00 up to \$90,000.00. Mr. Lutz replied that he remembers that. Mr. Varano stated that he still has them and that he gets calls every day from manufacturers and has been told that steel is going up January 1st 15 to 20% and stated that it will raise the cost on a steel building but it is still going to be less than.....Mr. Lutz interjected and said so some guy that is trying to sell you something is saying you better buy it today because prices are going up. Mr. Lutz added that he is only kidding. Mr. Varano stated that he had also read it in the steel workers monthly magazine that they put out.

Mr. Varano stated that if we buy a steel building kit that would be delivered and installed for free adding that the only thing you would have to do would be to pour your own cement pad and put in your sewage and water naturally and then after the building is built you would have to put in your own insulation. Mr. Varano stated that the barrier insulation probably would cost about \$8,000.00 or \$10,000.00 at the most and stated that you would not have to finish the walls right away off the bat adding that they could be finished later.

Mr. Varano stated that they are eligible for grants every year of about \$15,000.00 per fire company and stated that he would imagine that they would still be allowed that even though both fire companies would be in one department. Mr. Varano stated that he is not positive on that. Mr. Varano stated that the inside could be finished later like Brady did, it took them 10 years but they finished it. Mr. Varano stated that the same as the truck room, that was not finished right away they did it as they had the money for it.

Mr. Varano questioned the Solicitor if we could do that, purchase a steel building, put it out to bid to finish the inside, the doors, insulation, pour the pad, plumbing and heating. Mr. Varano asked if we could separate it or if we have to bid it all in one package.

The Solicitor, William C. Cole stated that we normally can separate it because none of it will probably fall under the section of where we could avoid advertising. Mr. Cole stated that there are exceptions right in the code for that but basically they are for maintenance, repairs and so forth. Mr. Cole stated that anytime you get into new construction none of that stuff applies and so we can put it out in separate contracts for bid if the board wants to first obtain bids, put out specs for the building that the board is trying to buy, let the bidders submit those and obtain that and then as a second part it would then after we go over the threshold which is quite low of \$18,000.00 or \$19,000.00.

Mr. Varano and Mr. Lutz stated that they believe it is \$19,200.00, or \$19,400.00. Mr. Cole stated that once we go over the threshold then we are into the bidding and so either way, maybe that is a question for all of the council as to what is more feasible.

Mr. Cole stated the question would be better to purchase the building separately and then bid out the construction or try to put together a specific bid package for the whole thing. Mr. Varano stated that he feels that it would be much cheaper if we do it like that and we buy the building, because like Mr. Motyka said you are going to have to hire a plumbing, heating, electric, put sewage in and pour the pad anyway.

The Solicitor replied that is absolutely fine if it is done in two parts. Mayor Novakoski stated that is what Brady did, they put the building up and then got money for the roof and put the roof on and then they got money for the roof and put the roof on and then they finally poured the floors and put heat in it adding that it took them 8 years.

Mr. Varano stated that he thinks that we could do it a lot faster and if we could get it under roof and have it insulated and get heat and all in it adding that he is thinking for \$150,000.00 and stated that he does not know, maybe he is having a pipe dream.

Mayor Novakoski commented that it depends if you put the heat in the floor it may be a little more, which is the way to go. Mr. Varano stated that if you have to put a backup heat anyway then why spend

all of that money putting it in the floor. Mayor Novakoski replied "because it is cheaper and it is gas." Mr. Varano stated that he knows that Jeff was telling him that he got it in the addition that he put onto his place and it cost him a few thousand dollars.

Mayor Novakoski questioned Mr. Niglio on how much it cost him to get it in his driveway. Mr. Niglio replied that there is no radiant heat, it just melts the snow.

Mr. Varano questioned Mr. Motyka on what he thinks. Mr. Motyka replied that he thinks that if you could get a steel building to match the design that we already had done, so that when you overlap the electrical, plumbing and mechanical drawings onto that print then you do not have to redesign or pay an architect to redesign stating that just goes out to bid. Mr. Varano stated that there is nothing in these buildings, just the shell. Mr. Varano stated that it is still a hell of a lot cheaper than \$180,000.00. Mr. Varano stated that he can't imagine it costing that much plus \$100,000.00 for equipment. Mr. Varano questioned Mr. Motyka if his cost would then be \$250,000.00 to \$280,000.00. Mr. Motyka stated that was Pioneer Pole buildings and they are just estimates.

Mr. Varano stated that they are a little more expensive adding that some of the other ones such as Ever Safe, they are about the cheapest and have the best quality and they will deliver and install where some will not install. Mr. Motyka stated that we have 5 months to figure it out over the winter time and stated that we should keep going forward and maybe meet with Brady to put some numbers together.

Mr. Varano questioned what council wants him to do and how do they feel on putting a steel building out for bid adding that he has been wasting a lot of time doing this and is getting nowhere. Mr. Varano questioned if council wants him to keep contacting these people. Mr. Motyka stated that we waited a couple months to hear from Pioneer Pole.

Mr. Varano stated that he has never had to wait that long and stated that he has always had a quote in a couple days. Mr. Motyka stated that he feels that if the fire company and council wants to move forward with this idea then he thinks that the full allotment from the USDA be recouped and that money go into a side so that you have that fund and anything above and beyond would be above and beyond. Mr. Motyka stated that we would have to borrow the full amount from the USDA for \$760,000.00.

Mr. Varano stated that we were originally approved for \$790,000.00 and stated that when we talked to them they said you could always raise that up to that \$790,000.00 figure adding that is all that we put in for was \$765,000.00. Mr. Motyka stated that the discussion we had earlier was that we have to wait until we figure all of this out stating that we could borrow the full amount now and put that aside for the fire company and then it could close out tomorrow and stated that we don't have to discuss that any further. Mr. Niglio stated that the extra money is accounted for in the architectural fees. Mr. Varano stated that and some of the engineering fees.

Mr. Niglio stated that we already spent that and so that is what we could use as our basis for taking it. Mr. Varano stated that is all done, all of the engineering is done and the architectural is done and added that we are way ahead of the curve here.

tape 3 malfunction

Discussion took place on audit requirements and timeframe of required audits, an Auditor needs to be hired next year and will cost approximately \$4,000.00 or \$5,000.00 for the next 20 years.

Council Discussed parking for Police Cars out front of the police department on Chestnut Street. The plans for the Post Office to relocated the drive up mail box on Chestnut Street in the near future.

Discussion between council members took place concerning to make it so that there is no parking on the west side of 8th Street and have no parking signs placed.

MOTION- A motion was made by Mr. Motyka and was seconded by Mr. Zigarski for there to be no parking on the west side of 8th street.

VOICE VOTE-

Unanimous

Council discussed the possible sale of the Wilson Building and the possibility of keeping the Borough Garage and Salt Shed. It was discussed to consider a 100-year lease or to keep both with egress for the borough in the back of the building. It was further discussed that the borough would have to subdivide and approval would be needed by the planning Commission, leasing for 100 years with easement would eliminate needing approval from the planning department. If the Borough Garage and Salt Shed were on separate deeds, there would be no issue.

MOTION- A motion was made by Mr. Lutz and seconded by Mr. Zigarski to advertise to sell the Wilson Building for sale with a lease back on the Borough Garage and Salt Shed.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAYS

Joe Cesari spoke briefly to inform council that a display sample of the Hometown Hero Banners is not available to view at the Administrative Office and anyone interested may pick up a form at the office. He stated that the shelf life of these banners would be 8 years with some care. Mr. Cesari stated that the cost of the banners is \$185.00 and that includes heavy duty hardware.

A discussion took place concerning the hiring of another full time police officer which would increase the coverage to 75% to 80% coverage.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Burns to hire Nathan Foust to the position of full time police officer status at \$15.00 per hour effective January 1st with 6-month probation.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (yes), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
6 YEAS – 0 NAYS

Further discussion took place between council members on the use of constables to serve warrants and for transfers rather than our police officers transferring.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Zigarski to use constables to serve warrants and for transfers.

VOICE VOTE-

Unanimous

Mr. Varano stated that

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. John Grinaway of Kulpmont stated that he has an ongoing problem with the neighboring property and stated that the grass is 8 to 10 inches tall and weeds are 4 ½ to 5 inches tall. People moved in and were not registered. He stated that the place is filled with fleas, fly's and insects and that it is a health risk. Mr. Grinaway stated that garbage is in bags with no containers and there have been no fines issued from September on. Mr. Grinaway also provided council with pictures of the issue that he is having with parking and the problem that he is having to get out of his garage. Mr. Grinaway asked that something be done about his concerns.

The Code Officer Russ Moroz was not in attendance, council stated that he should contact the code officer. Council asked the police to take a look and see what is going on with the concerns on the parking problem and the ability to get out of the garage.

The News Item Reporter Stephanie Bettick addressed council on the pole that is place outside the new building. She stated that she has been asked by many people about the pole and was just looking for some clarification on why it is there. Council discussed briefly and stated that the pole will eventually be removed and its placement according to plans is incorrect.

Mr. Varano questioned if anyone else would like to address council and nobody spoke.

Mr. Varano stated that we will need to advertise for our meetings for 2017 and stated that he would step down and make the motion.

MOTION- Mr. Varano made the motion and was seconded by Mr. Burns to advertise the meetings for 2017 to be held every 2nd Tuesday of each month and every other Tuesday of each month as needed.

ROLL CALL VOTE- BURNS (yes), GORETSKI (absent), LUTZ (no), MALAKOSKI (yes), MOTYKA (yes), ZIGARSKI (yes), VARANO (yes)
5 YEAS – 1 NAYS

OLD BUSINESS

None

NEW BUSINESS

None

ANNOUNCEMENTS

Mr. Varano wished all a Merry Christmas and a Happy New Year

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**RHONDA WILK
BOROUGH SECRETARY**

DATE OF APPROVAL