

# DELMONT BOROUGH COUNCIL MEETING MINUTES

November 13, 2018

77 Greensburg Street  
Delmont, PA 15626



## **ELECTED OFFICIALS:**

<i>Alyce Urban, Mayor</i>	Present	<i>Ann Lantz</i>	Present
<i>Andrew Shissler, Council President</i>	Present	<i>Becky Matesevac</i>	Present
<i>Bill Marx, Vice President</i>	Present	<i>David Piper, CBO</i>	Present
<i>Stan Cheyne</i>	Present	<i>Pam Simpson -</i>	Absent

*(Present at Exec. Session)*

## **EMPLOYEES:**

Bill Heaps, Public Works Supervisor	Present
Chief TJ Klobucar - Delmont Borough Police Department	Present
Kellie Miele, Secretary/Treasurer	Present

## **PROFESSIONAL SERVICES:**

Daniel J. Hewitt, Esq. Solicitor, McDonald Snyder, P.C.	Absent
Amber R. Leechalk, Esq., McDonald Snyder, P.C.	Present

## **ENGINEER REPORT:**

LSSE	Absent
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## **RESIDENTS ATTENDING: (ORDERED BY SIGN IN LIST)**

Tim Schmida  
Linda Schmida  
Don Cline  
Kerri Cole

Anna Marie Stackiewicz  
Bob Stackiewicz  
James Krishler  
Bob Cole

Non-Resident Citizens  
Ed & Julie Rebitch  
Matt Rebitch

Georgia Boring – Penn Franklin/Delmont  
Salem News  
Sam Borer

**CALL TO ORDER:** Mr. Shissler calls meeting to order and join in the Pledge.

## **STANDARD MONTHLY BUSINESS**

### **MEETING MINUTES:**

October Meeting Minutes on display, but not read. David Piper made Motion to table the minutes until section was verified. Bill Marx Seconded Motion. Motion Passed unanimously.

### **TREASURER'S REPORT:**

Prepared and submitted by Council President, Andrew Shissler, on display, but not read. Motion to approve Treasurer's Report made by Becky Matesevac. Motion Seconded by Stan Cheyne. Motion Passed unanimously.

### **BILLS:**

Bills on display but not read. Ms. Matesevac made the Motion to pay the bills. Ann Lantz Seconded Motion. Motion Passed unanimously without further discussions.

## **CITIZENS' COMMENTS**

### **Bob and Kerri Cole, 221 E. Pittsburgh Street**

Asked for permit parking spots would be possible. Council explained how an Ordinance would be needed for permit parking spaces. Police would have to enforce the violators. Street Committee – Mr. Cheyne – will check with Borough Solicitor Dan Hewitt about commercial vs residential parking privileges.

### **Anne Marie Stackiewicz, 222 Aurora Street**

Expressed concern over the Volunteer Fire Department situation with allegations of wrongdoing. Also the issue with the previous Borough Secretary being arrested on charges of misusing Borough monies. Questioned what the Council is doing to put measures in place to prevent any issues like that happening again. Mr. Shissler assured that the Council members are reviewing the bank statements and verifying them again the QuickBooks program used for bookkeeping. Charges are filed. Chief Klobucar followed the necessary procedures to bring forth the investigation and eventual charges. The Borough will try to recoup the money.

Mrs. Stackiewicz asked that the Council provide any updates once the investigation is completed. There was no further information given to the public since it is an ongoing investigation. Mrs. Cole also requested an official statement once the investigation is completed. Would like to hear from Council vs through the newspaper sources.

Mr. Marx explained how the Borough cannot be involved with the VFD. Some of the monies that the Borough VFD receives is from a pass-through from State and Federal agencies.

Chief Klobucar stated that the investigation was handled properly with the Borough Secretary issue.

### **James Krishler, 114 East Pittsburgh Street**

Spoke of how he has a 200 year-old old log cabin house. He expressed concern about losing the VFD in Delmont and having to wait for a surrounding township to answer the fire call. Asked that Council assure him that they will do what they can to keep them in place.

### **Ed and Julie Rebitch, Salem Township**

Julie Rebitch passed out copies of the EMC insurance policy. EMC was the Borough's insurance policy provider. She spoke on how the Borough was denied any benefits in an October 4<sup>th</sup> letter for damages to the Rebitch property.

Mr. Rebitch expressed his feelings that consequences would move the problem up the line if the Borough closed the manholes on the Rebitch's' property. Mr. Shissler said he's limited to what he can say since the Borough is under legal negotiations with the DEP.

### **COMMITTEE REPORTS**

#### **ENGINEERING REPORT**

LSSE was not present.

**SOLICITOR'S REPORT** Amber R. Leechalk, Esq., McDonald Snyder, P.C.

Harhai Property (1 acre parcel - \$18,000.00) purchase is moving forward. The Borough can sign an Agreement to move forward. There will be a need to do a sub-dividing in 2019. This will provide property similar to the one at Shields Farm for stormwater retention pond. Mr. Cheyne makes the Motion to move forward with the Sale Agreement, Mr. Marx Seconds the Motion and all Approves.

Mr. Cheyne makes the Motion to authorize an engineering firm do the subdivision for the Harhai Property. The cost is capped at \$3,000. Mr. Marx Seconds the Motion and all Approves.

#### Resolution 2018-18

MRM Trust 2018-19 Workers' Compensation. Motion was made to accept the Resolution by Ms. Matesevac, Ms. Lantz Seconded the Motion. Resolution 2018-18 Passed unanimously.

#### Spagnola – Code Compliance Agreement

This Agreement would insure the people who are going to purchase the property bring the current violations up to code and maintain the property. It would remove any financial judgement against the previous owner of which the Borough was the stakeholder. There will not be any penalty, but it states that the property must be brought up to code within the same durations as the current judgement against the current owner. This would remove the lien against the property and the Borough would not seek legal action against the new owners. Mr. Cheyne made the Motion to sign the Spagnola Code Compliance Agreement with McCullough LLC, Ms. Matesevac Seconded the Motion. Spagnola Code Compliance Agreement Passed unanimously.

#### Spagnola Plan – Subdivision Plan

There will be an Ordinance advertised that would remove the borough claims to the alley-way through the current Spagnola owned property (aka old Delmont Market). Planning Commission will finalize during the December 11, 2018 meeting. Mr. Cheyne made the Motion to allow alley-way to go with the property. Ms. Lantz Seconded the Motion. The Ordinance passed unanimously to move forward.

#### **PUBLIC SAFETY/POLICE AND FIRE DEPARTMENT REPORT – Mayor, Alyce Urban**

Chief Klobucar presented the Calls for Service from the Borough Police Department. 108 total calls for service in October 2018. 49 Traffic Citations and 4 Criminal Arrests.

Chief Klobucar asked Council to approve Kevin Diamond to be hired effective immediately as a part-time Borough Officer. Ms. Matesevac made the Motion to hire Kevin Diamond and Mr. Marx Seconded that motion. The Council passed the request unanimously to hire Kevin Diamond as a part-time Borough Police Officer.

Chief Klobucar asked Council to consider changing the retirement age for the Police Department. It is presently 55 and 25 years of service. The request is for the age of 50 with

25 years of service. Ms. Matesevac made the Motion to create the Resolution needed. Mr. Cheyne Seconded the Motion. All approved – This will take effect 2021.

Chief Richard Balik, VFD reported over 30 calls. Halloween patrol went well. Chief Balik brought up concern over some of the Borough fire hydrants being obstructed. There is one on Barrington Ridge and another on the street off of Cherry Knoll. Public Works employee Bill Heaps was present and would address the concerns.

Mayor Urban reminded all about the upcoming 2018 Christmas Pilgrimage. Friday, Saturday and Sunday - November 30<sup>th</sup>, December 1<sup>st</sup> and 2<sup>nd</sup>. She appreciates the ongoing help from volunteers that have put in a lot of time. It is an inspirational walking tour – a trip back through time on the road to Bethlehem. There will be live actors and animals. More information can be obtained through the Delmont Borough Library – Pilgrimage Committee. ([www.DelmontPilgrimage.com](http://www.DelmontPilgrimage.com))

**BUILDING AND RENTALS** Ann Lantz and Bill Marx, Council Vice President

Mr. Marx reminded the Borough Council that the quotes for the roofing will have to go out for bids since it is over a \$10,000.00 purchase. They will also check with the Co-Stars program to see if there has been requests like this to eliminate the need for re-bids. Ms. Lantz told Council that they are still waiting on a quote to have the Daycare bathrooms refurbished. Hoping the quote will be below the \$5000.00 budgeted estimate. They will install new stalls. The plan is to have work completed before the end of 2018 and early January 2019.

**FINANCE COMMITTEE** Andy Shissler, Council President, Becky Matesevac

Mr. Shissler announced that there was an Executive Session of Council before the Council Meeting. It involved personnel and legal issues. There were no decisions made at that time. There was a discussion to raise the rate of the part-time Borough Police Officers from \$14/hour to \$17/hour effective immediately. Ms. Matesevac made the Motion to approve the increase. Mr. Marx Seconded the Motion. The increase for the Borough Police Part-time Officers to \$17/hour passed unanimously.

Mr. Shissler announced there will be no tax increase planned as part of the 2019 Delmont Borough Budget. The Budget for the General Fund is \$1,237,445.00. Ms. Matesevac made the Motion to advertise the 2019 Delmont Borough Budget. Mr. Piper Seconded the Motion and the 2019 Delmont Borough Budget unanimously passed.

**ROAD COMMITTEE ITEMS** – Stan Cheyne and Ann Lantz

A. Liberoni has completed the paving for the Borough project. A partial payment of \$124,261.95 will need to be paid upon receipt of invoice. Mr. Cheyne made the motion to pay the formal invoice due to A. Liberoni. Ms. Lantz Seconded the Motion. All approved the payment to A. Liberoni upon receipt of final invoice.

Moving forward. The Road Committee will have the Engineers check on the specs for the transition between pavements on roads.

There was a Change Order for the Crack Sealing on Church Street and Christy. The result was an additional \$3,286.00. Mr. Cheyne made the Motion to pay the Change Order to Russell Corp. for the additional crack sealing. Ms. Lantz Seconded the Motion. All approved the additional payment via the Change Order.

The final payment in full is due to Russell for \$19,186.00. Mr. Cheyne made the Motion to pay the final payment to Russell for the Crack Sealing for 2018. Ms. Matesevac Seconded the Motion. All approved for the final payment to Russell for the Crack Sealing 2018 project.

**PERSONNEL** – Becky Matesevac and Pam Simpson

Becky Matesevac will have the updated Policy and Procedures Manual for Borough Employees for the next month's Council Meeting.

**SEWAGE COMMITTEE ITEMS** – Stan Cheyne and Bill Marx

Mr. Cheyne gave a brief statement:

*A series of motions were made by this council a few months back related to anticipated dealings with the DEP to deal with Borough sewage concerns. These motions were necessary to develop the data necessary as well as preparing the way for mapping, flow studies, and surveying necessary to deal with the ongoing discharges in the area by the Cramer Pump Station. We expect this will result in changes to both the gravity and force-main lines.*

*What has gotten us to this point? Following periods of wet weather, discharges are observed from the pump station as well as at certain manholes along the gravity fed line. These discharges occur because stormwater is making its way into the system. Within Delmont Borough it is illegal to have a direct connection of stormwater drains to the sanitary sewer system. Either knowingly or unknowingly direct or indirect connections exist or these discharges would not be occurring. An example of an indirect connection is when the condition of a pipe has degraded to a point where excess ground water is capable of entering the system, these can often be very difficult to determine. A direct connection is any direct piping of stormwater or ground water into the sewage system. This is illegal and needs to be remedied. Delmont Borough Council will be having some informational discussions in the future to educate our residents.*

*To address all of these issues, we, as a council, will be considering an increase in sewage rates to offset the additional costs of these projects.*

*If you have any concerns regarding the need for the increase in rates, or if you think you may have an illegal connection or would like to find out more about illegal connections, please contact the borough office and someone from the sewage committee will contact you.*

Mr. Rebitch stated that the flow studies need done and private side connections to the Borough owned lines need checked.

**SHIELDS FARM** – Andrew Shissler, Council President

2018 Pilgrimage coming up!

**GRANTS** – David Piper

No news on any new grants. There are a lot of new grants out there.

Inquired on the DCNR request for use of property and easements information for a letter the Borough received in November 2017 regarding 4.46 acre shortage that has been converted at the Shields Farm area. The DCNR has not followed up on this request. A letter from DCNR to Dan Hewitt in November '17 was distributed to council for their awareness.

**CONTRACTED TRASH – Stan Cheyne**

The last day for leaves pickup is Saturday, November 17, 2018. Mr. Cheyne said that things are moving smoother since Republic has a designated driver for the Borough. Mrs. Cole spoke on the help that Renee Shipley has provided to them on their quest to have the accounts they have on rentals corrected.

**OLD BUSINESS**

Mr. Cheyne spoke grant money that is out there. Hopes to pursue upgrades to Shields Farm with on the basis for safety related issues.

**ADJOURNMENT:** Ms. Matesevac moves to adjourn. Mr. Cheyne Seconds. Motion Carries.

Respectfully Submitted,

Kellie E. Miele  
Secretary