

**HULMEVILLE BOROUGH COUNCIL**  
**Meeting Minutes**  
**September 12, 2016**

The regular monthly meeting of the Hulmeville Borough Council was held on the above date at the Borough Hall, 321 Main Street.

**Councilmember's Present**

Thomas Wheeler, President  
Mallory Menta  
Dale Walton Jr.  
Mayor Dave Harris  
Dan Mandolesi  
Nick Lodise  
Judy Coleman

**Staff in Attendance**

Solicitor Robert DeBias  
Secretary Dorothy Omietanski  
Treasurer Diane McKairnes  
Water & Sewer Clerk Pat Slater  
Fire Marshal Bill Wheeler  
Authority Chair Jim Clark

**Councilmember's Absent:** Debbie Mahon, Vice President

**Staff Absent:** Police Chief Bob Juno

**Guests in Attendance:** Trisha Boyle, Joe Kiss, Erin Kiss, and Ray Johnson.

**Call to Order:** Mr. Wheeler called the meeting to order at 7:35pm; all those present joined in the Pledge of Allegiance.

**Opening of Bids for Borough Property:**

At 7:38pm Mr. Wheeler opened one bid received for the sale of borough property. Before reading the bid Mr. DeBias confirmed with Ms. Omietanski that the notice for the sale of the property was both advertised and posted at borough hall. Ms. Omietanski confirmed that both were done. Mr. Wheeler read the bid received which was from KKL Property Holdings for a total of \$43,000 for parcel number 16-005-051. Council requested an executive session to discuss the offer.

From 7:40 pm to 7:42 pm an executive session was held in the secretary's office.

**Motion made by Mr. Mandolesi seconded by Mr. Lodise to accept the bid made by Kiss Electric for the amount of \$43,000 for the parcel 16-005-051; Motion passed with all in favor 6-0-0.**

A check in the amount of \$43,000 payable to the borough was enclosed with the bid. Mr. DeBias confirmed with Mr. Kiss that the check would be held in escrow until the closing. Ms. Boyle asked council if the money from the sale of the land was earmarked for anything specific. Council said no plans for the money have been discussed.

**Motion made by Mr. Mandolesi seconded by Ms. Menta to sign a resolution for the sale of borough property 16-005-051; Motion passed with all in favor 6-0-0.**

**Minutes:** Before motion Ms. Coleman requested confirmation on two items. First she wanted to confirm that Bristol Borough was requesting an RDA grant and wanted to know if the quote from the Water Authority for \$13,000 for meter replacement included the new computer. Council confirmed that Bristol Borough was requesting a grant that was discussed in July. Mr. Clark confirmed that the price did include a computer.

**Motion made by Mr. Walton seconded by Mr. Mandolesi to approve the minutes of August 1 and 18, 2016; Motion passed with all in favor 6-0-0.**

**KKL Property Holdings land development; Motion made by Mr. Walton seconded by Mr. Mandolesi to authorize Mr. Wheeler and Ms. Omietanski to sign the revised land development plans for Kiss Electric; Motion passed with all in favor 6-0-0.**

**Public Comment:** Ms. Boyle wanted to make council aware of ongoing and increasingly deteriorating conditions she has observed, as well as others who live around the area of 329-339 Bellevue Ave. She noticed, while walking by the houses, that there are pallets stacked up against the house, which she views as a fire hazard, as well as a sofa in the yard. She also knows there have been arrests made and residents inside the houses rescued for drug overdoses. She truly believes the properties are being used as boarding houses, and people she knows have found drug paraphernalia in the park across the street. Her son, who is a teenager, is afraid to walk in front of the homes. She feels that the situation is out of control, and something needs to be done. Fire Marshal Wheeler said he can ask that the sofa and pallets be removed. Mr. DeBias said the reason nothing can be done is in order to correct the problems observed there needs to be probable cause that would need to be presented to a judge. The judge would then issue a warrant to go inside the homes. Getting probable cause is the big challenge. Chief Juno has expressed his frustration in the past regarding these matters. First the state police have no communications with him, when it comes to issues they handle in the borough. Chief Juno would like to know when they come in the borough, why they come, and the outcome of their calls. Second, Chief Juno has stressed to the residents of Hulmeville in the past that if you see a problem you should call him. He needs a paper trail in order to create a case, and he cannot do that unless residents get involved, and call when they see something that is not right. Council will contact Tina Davis regarding the communication with the state police, and see if they can bridge that gap. The Mayor will also try to reach out to the state police, and see what he can do to build the communication.

Ms. Boyle also wanted to point out that the house at 337 Main Street needs to clean up the rubble from the demolition of a garage, and remove vines that are growing. Mr. Mandolesi will contact Ms. Juno regarding the matter. Ms. Juno is currently in the hospital, so Mr. Mandolesi will hold off until she is feeling better before contacting her.

**Water and Sewer:**

- Johnson Hall – Ms. Slater asked council since the water has been shut off to Johnson Hall and Johnson Hall is vacant could she roll the property back to 1 commercial and minimum water usage. Council agreed that changing Johnson's Hall status change would be fine.

**Motion made by Ms. Mallory seconded by Mr. Walton to allow Ms. Slater to roll back Johnson Hall to 1 commercial and minimum water usage moving forward; Motion passed with all in favor 6-0-0.**

- Act 537 – Mr. Clark attended BCWSA NICAP/NICMP status update meeting on September 8, 2016. It was a very frustrating meeting, because now a year after completion, they decided to provide municipalities and providers with an outline of the requirements for Act 537. The good news is everything they outlined can be found in the boroughs documents. They also confirmed that all connections are locked for 2016. Carroll Engineering is putting the revised version of Act 537 together, and as soon as Mr. Clark receives the documents from them, he will meet with Ms. Omietanski to have the borough seal placed on them.
- Meter Agreement – Mr. Clark gave Ms. Omietanski the meter agreement between the authority and BCWSA. He has signed the agreement and asked that Ms. Omietanski mail it to BCWSA to be signed, and a copy to be sent back with their signatures. Also, part of the

agreement states that BCWSA will be scheduling with the residents directly for the meter replacements. BCWSA will be sending out letters requesting the residents to contact them to make an appointment for meter replacement. The goal is to be started with this process before the end of this year.

- Lien List – Ms. Slater informed council that she has a total of 13 residents subject to liens with the liens totaling \$116,000.

### **Police Report:**

- Mayor Harris read the report for the month of August 2016: 14 Incidents, 12 Traffic, 2 Parking, 1 Accidents, 2 Assists, 0 Summary, 0 Criminal, 8 District Court, 0 County Court, 1 EMS for a total hours worked: 201, Total Salary \$4,358.50.
- Mayor Harris confirmed that the borough will have three officers working on Hulmeville Day.
- Chief Juno confirmed that the Taser guns have arrived.

### **Borough Property:**

- Painting of Borough Hall – The painting is completed. Mr. Mandolesi added two items to the painters list of items to paint which increased the total cost from \$500 to \$550.
- Mr. Mandolesi met with Joe Camel to review the maintenance agreement. Upon inspection of the units they noticed mold growing on the front unit. They realized that the grading angles towards the building and the units. Mr. Lodise said he would look at the problem and see what he can do to fix it. They discussed the units on Trenton Rd, and agreed that they would not add them to the maintenance contract. The renter takes good care of the units, and if the units should need repairs, the renter will call Mr. Camel directly for service.

**Trash:** Mr. Lodise will contact Republic and confirm that the leaf pick up dates this year will be 10/26, 11/9, 11/23 and 12/7. Once he confirms the dates with Republic he will notify Fire Marshal Wheeler, who will post it on the website, as well as at William Penn Fire Company.

### **Streets:**

- Pothole Repair - A pothole was repaired near the firehouse.
- Storm Drains - There are two storm drains on Main Street near Penna Ave that need repair. Mr. Lodise will contact PENDOT regarding fixing them.
- Crosswalk Painting – Penndel is no longer able to paint our lines. The borough will need to look into subcontracting the painting.
- Trenton Rd – PENDOT originally planned to resurface Trenton Road, but due to budget constraints they only made a patch repair to the road.

### **Lights:**

- Light Replacement - A light on Beaver Street was just replaced
- Lights Out – There are two lights out on Lincoln Ave. – one at Lincoln and Reetz and one on the 400 block of Lincoln. There is another light out on Main Street across from the borough hall.

### **Personnel:**

- Planning Commission – The planning Commission has two seats to fill. Ms. Menta was appointed the Planning Commission by Mr. Wheeler and Ms. Menta will now attend the Planning Commission meetings.

- Water Authority – The authority has one seat to fill.
- CDU – They have agreed to continue to plow snow for the borough.

**Finance:**

- Budget Committee – Next budget meeting is scheduled for 9/15 at 7 pm. The expense side of the budget currently has an increase of \$18,000 over last year. Most of the increase is due to MS4. Mario told Ms. Mahon to increase the budget this year by \$10,000 to \$15,000. The budget committee is recommending increasing by only \$10,000. Storm water management cost has increased by 61%.
- Police Budget – Chief Juno submitted his list of requests. He requested three items for the RDA grant – body camera for \$895, new police car camera for \$6,250 and 5 bullet proof vests at a cost of \$1007 per vest. He also requested a new computer and printer and training for the taser guns. Council agrees that the police should use the car camera till it does not work anymore then purchase a replacement. It is too late to obtain the necessary information to submit a request for RDA, so the request will have to be held till next year.
- Budget Dates – Ms. Coleman is planning to present the preliminary budget on 9/20. At the 10/3 meeting council will review the budget, will vote to advertise the budget on 11/7, and it will be open for public comment on 11/15.

Note: Betty Shapcott arrived at 9:17pm. She wanted to ask council if anyone knew who could test her water. She has had issues in the past and would like to have the water tested again. Ms. Menta said she would find out and call her with the information. Ms. Shapcott resides at 517 Lincoln. Ms. Shapcott also asked if Republic would collect her water filters. Mr. Wheeler said that there should be no problem with collection, and to just put them out on trash day.

**Zoning:** No report (Ms. Juno has not been well for a few weeks)

**Fire Marshal:**

- Snow Reimbursement – Fire Marshal Wheeler needs Ms. McKairnes assistance. They are ready to issue us a check but the account number on the application was not correct. Diane will look into it. The borough should receive 75% of \$7,000.
- Electronic Retention – Fire Marshal Wheeler wanted to bring to council’s attention the importance of using only borough email addresses when communicating borough business. Personal email addresses cannot be used. He will reset everyone’s email login and provide instructions on how to access email through the system at the next meeting. Northampton Township is currently having issues with a right to know case, and is being required to turn over personal email accounts that were used for township business.

**Planning:** no report

**MS4:**

**Motion made by Mr. Lodise seconded by Mr. Mandolesi to give Mr. Wheeler the authority to sign the MS4 report; Motion passed with all in favor 6-0-0.**

**TMDL:** no report

**Floodplain:** no report

**Solicitor Report:**

- Sunshine Law – Mr. DeBias reviewed with council what the sunshine law means. The sunshine law states that all official action must take place at a public meeting with the only exception being executive session. Anytime you have a quorum, which is 4 council members together at one time, the discussions needs to take place at a public meeting. All decisions must be made at a public meeting. Never is anyone on council to “reply all” in an email, because that could be a quorum and all discussions must be done in public meeting setting only.
- Right to Know - Mr. DeBias reviewed with council what right to know means. Right to know means every person has a right to access government records. Ms. Omietanski is the borough’s right to know officer so all requests for information comes to her. Any document that deals with borough business any one has a right to view with a few limited exceptions.
- Police Car – Mr. DeBias drafted a notice to bidders for the sale of the 2008 Ford Crown Victoria Police Car. The advertisement will run 1 time before 9/23 and all bids will be due on 10/3.

**Motion made by Mr. Walton seconded by Mr. Lodise to authorize the sale of the 2008 Ford Crown Victoria Police car; Motion passed with all in favor 6-0-0.**

- FEMA Ordinance – Mario informed the borough that FEMA is making changes to the ordinance council passed last year. Mario believes they are going to push the borough to accept a model ordinance provision that council did not want to enact. Items council agreed to allow FEMA is going to insist we do not allow.

**Motion made by Mr. Mandolesi seconded by Mr. Lodise to ratify the clear site easement for the KKL Property Holdings Land Development; Motion passed with all in favor 6-0-0.**

- RDA Grants – Mr. DeBias prepared resolutions for the RDA grant applications. The total cost of all grants requested is \$752,800.

**Motion made by Mr. Mandolesi seconded by Mr. Lodise to sign resolutions to apply for RDA grants for the purchase of volunteer fire dispatcher mandated radios for Bristol Borough, for obtaining portable mandated radios for the borough’s constable, emergency management coordinator and assistant emergency management coordinator, to purchase and install an emergency generator and upgrade the electrical system at the William Penn Fire House, and for the purchase of an ambulance for Penn del Middletown Emergency Squad and/or co-sponsor with Middletown Township if they so desire. Also include authorization for Mr. Wheeler and Ms. Omietanski to sign the grant applications; Motion passed with all in favor 6-0-0.**

**Mayor:**

- The mayor attended a 9/11 memorial observance in Tullytown last night. It was very nice.

**Treasurer’s Report:** Treasurer’s Report of September 12, 2016 was made available for inspection: The mayor suggested adding the delinquent amounts to the sewer account plgit fund on the treasurer’s report.

- **General Fund Checking** Balance as of August 1, 2016: \$ 164,335.82  
Expenses Totaled: \$ -37,655.71  
Income Totaled: \$ 25,726.75  
General Fund Checking Balance as of August 31, 2016: \$ **152,406.86**
- **Sewer Fund Checking** Balance as of August 1, 2016: \$ 136,852.39

Expenses Totaled:	\$ -21,818.01
Income Totaled:	\$ 25,787.53
Sewer Fund Checking Balance as of August 31, 2016:	\$ 140,821.91
• Sewer Fund PLGIT Balance as of July 1, 2016:	\$ 361,289.88
Interest July Aug	\$ 191.31
Deposit	\$ 10,000.00
Expense	\$ - 0
Sewer Fund PLGIT Balance as of August 31, 2016:	\$ 371,481.19
• Highway Aid PLGIT Balance as of July 1, 2016:	\$ 35,782.56
Interest July Aug	\$ 18.72
Deposit	\$ 0
Expenses	\$ -32.07
Highway Aid PLGIT Balance as of August 31, 2016 :	\$ 35,769.21
• General Fund PLGIT Balance as of July 1, 2016:	\$ 49,340.58
Interest July Aug	\$ 19.50
Deposits	\$ 725.00
Expenses Total:	\$ -38,136.00
General Fund PLGIT Balance as of August 31, 2016:	\$ 11,949.08

**Bills:** A copy of the bill list dated September 11, 2016 was provided to Council, and offered for review by the public. Ms. McKarines added one bill one from Kevin Guilren for \$550.

**Motion made by Mr. Mandolesi seconded by Ms. Menta to pay the painter \$550 for the painting completed at borough hall; Motion passed with all in favor 6-0-0.**

• General Fund beginning balance as of August 31, 2016:	\$ 153,659.95
ending balance as of September 16, 2016:	\$ 130,655.25
• Sewer & Water beginning balance as of August 31, 2016:	\$ 142,882.41
ending balance as of September 16, 2016:	\$ 104,699.79
• Highway Aid beginning balance as of September 12, 2016:	\$ 35,719.45
ending balance as of September 12, 2016:	\$ 35,566.79

**A motion was duly made by Mr. Mandolesi seconded by Ms. Menta, and carried unanimously to approve the bill list dated September 11, 2016; motion carries 6-0-0.**

**Old Business:**

- Apartment unit A – Currently the renter’s daughter and 4 children are residing in the unit. The children have been seen going to school. The lease she signed states one adult for the unit. Mr. Mandolesi will talk to her and find out what is going on and how long her daughter plans on staying with her.
- Painting Lines – A contractor will need to be hired to paint the lines in the borough.
- Bleachers - People are disregarding the caution tape and sitting on the bleachers. Mr. Lodise will re-tape the bleachers and he will contact the Eagle Scout to see when work on the bleachers will take place.

- Storm Water Administrator Position – Council needs a clear job description and need to start discussion regarding the position of administrator. Money may need to be earmarked in the budget for this position.

The meeting was adjourned at 10:51 pm; motion made by Mr. Walton seconded by Mr. Lodise.

Respectfully Submitted

Dorothy Omietanski,  
Hulmeville Borough Secretary