The Regular Monthly Meeting of Dupont Borough Council was called to order at 7:08 on Tuesday evening, June 11, 2019 by President of Council Stanley Knick. The meeting followed an advertised executive session at 6:30.

Roll Call:
Mr. Knick - Present Mr. Kowalczyk - Present

Mr. Kaminski – Excused Mrs. Hansen - Present

Mr. Karkut – Present Mayor Lello – Present

Executive session held at 6:30 pm for legal and personnel matters.

**MOTION TO ADOPT THE MINUTES OF THE MAY 14 2019 MEETING AND PLACE ON FILE.**

Motion: Mrs. Hansen
Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO ACCEPT THE CORRESPONDENCE PRESENTED.**

Motion: Mrs. Hansen
Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO PAY THE BILLS PRESENTED.** (add Fiorelli Associates $5645.00)

Motion: Mrs. Hansen

Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO APPOINT THE PART TIME POLICE OFFICERS FROM JUNE 11, 2019 TO THE NEXT REGULAR MEETING OF COUNCIL WITH NO GUARANTEE OF WORK:** Duane Saunders, Jennifer Polemitis, Todd Houghtlin, Thomas Sheehan, Robert Avvisato, Arnulfo Rivera, Thomas Rushnak, Christopher Fargione, Christopher Smith.

Motion: Mr. Kowalczyk
Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

Patty was excused to address the incident at the park reported by the dpw employee and returned to report a broken piece of playground equipment was removed.

Presentation of 2018 AUDIT - Introduce Mike Fiorelli, Fiorelli Associates.

Page 6 and then page 5 were read aloud. Questions were asked by members in the audience and council members with responses from Council, Mayor and Mr. Fiorelli. Question focused on the line item for public safety.

**MOTION TO ACCEPT THE 2018 BOROUGH AUDIT PRESENTED.**

Motion: Mrs. Hansen
Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

REPORTS:

Treasurer’s Report: Submitted by Albert B. Melone Company, Business Consultants

Balance as of May 31, 2019 (unless otherwise stated)

General Fund - $78,947.73 (6-5-19)

Payroll Fund - $ 7,281.34

Refuse Fund - $ 43,090.48

Sewer Maintenance Fund - $ 464,359.22

Liquid Fuels - $ 140,171.17

Police Pension Fund - $ 921,762.00

Town Clock - $ 3,786.22

Special Fund - $ 182,089.93

Loan for School - $ 184,887.43

Tax Collector Report: Susan Gregory read the following report for May:

Balance Collectable Beginning of Month - $ 43,139.85

Balance Collectable End of Month - $ 36,980.82

Amount Collected and Deposited into General Fund - $ 6142.13

Police Report - Chief Doran read the following May statistical report:

Criminal arrests-3; Traffic Citations Issued-114; Appearances in Magisterial Court-13; Motor Vehicle Accidents-9; Assist to EMS/Fire-12; Assist to other Police Dept. – 4; Alarms-7; Burglaries-3; Thefts-4; Vandalism-2; Disorderly Conduct-7; Domestic Reports-5; Suspicious Activity-5; DUI Arrest- -2; Assault/Harrassment-5; Miscellaneous Calls-30; Building Checks-15; Code Enforcement-2. Mileage: Explorer – 27,909; Taurus – 65,046; F-150 – 4,806.00. Magistrate Fines Collected - $1,972.67.

Solicitor’s Report - Erik Dingle talked about the ongoing negotiations with Insalaco’s to obtain a piece of property from the borough on a long term lease. Patty has located maps, geological studies and things that concern the perimeter of the old dump. Erik suggested Council direct the borough engineer to review this information and get a definitive answer back to Insalacos so in fact if the area is clean we can negotiate a long term lease or sale. Bob Naegele did review the 2001 environmental assessment. That report listed the recommendation to clean up some residential trash and tires that were there. Bob is not sure if Insalacos would find that sufficient or would want a more current assessment. Erik will forward that report to Insalacos for review.

**MOTION TO FORWARD THE 2001 ENVIRONMENTAL ASSESSMENT REPORT TO INSALACOS FOR REVIEW**

Motion: Mr. Karkut

Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

Mr. Dingle continued by updating council on the entrance to the Petro Truck Stop on Grove Street. He continues to receive weekly phone calls from people who have broken their axles. Fortunately for the Borough we are immune from any suits having to do with that area. We have had to date four or five proposals to repair that. None of those had come to fruition. Within the last two or three days Erik received a new offer to fix the entrance from Petro. He recommends the engineer review that proposal and is it anything other than a band aid. Bob agreed he reviewed it and that is exactly what it is. This is not the solution just going down four inches. Mr. Kowalczyk stated the base was a minimum of 4 inches on the last repair. Stan asked the engineer to reach out to Petro to explain that we can take the $50,000 but it is putting a band aid on a gash. Bob stated we tried this approach and it only lasted three years if that. Mr. Kowalczyk stated probably two years. Patty received an email today from the district manager and will forward it to Bob. The email noted the VP is reviewing two bids.

Erik talked about lawsuits pending - three pending lawsuits, one potential and two pending. One is in front of state supreme court. Erik is hopeful they will be gone sometime this fall. Erik needs a fund to settle at least one of them now. There is no reason for us to be bleeding money to continue to negotiate if he can get rid of it. He believes he can get rid of it next week. Then it is gone. So he needs a fund of $25,000 to do it. Because of confidentiality in the proposed agreements already produced he cannot say any more. He suggests we borrow from the sewer fund and pay back by end of year.

Mrs. Hansen questioned if the letter to Petro if we are going to put a little quotation at the end of the letter possibly asking them if they want to take that road over. Erik stated boroughs can give up streets and there are specific ways to do it. If they would like to do that – and Pina suggested putting it in and see if they bite at it. It doesn’t hurt.

**MOTION TO SHIP LETTER TO PETRO REGARDING GROVE STREET REPAIR AND INQUIRING AS TO PETRO BEING INTERESTED IN TAKING OVER GROVE STREET**

Motion: Mrs. Hansen

Second: Mr. Karkut

Mr. Joseph Cigan, Gill Street – addressed Council on the Insalaco’s proposal asking how much land is being talked about. Back in 2001 grants were submitted - that was proposed for sporting complex, ballfields. Stan responded sporting complex will never happen. Mr. Cigan asked how do you know that.

Stan stated they cannot get enough people to play at this field here. He is here close to twenty years and on council for fourteen years . That was put in way before his time. He feels for tax purposes and to relieve some of the burden off the residents, this is the best thing to do. The way grants are now and the monies available he doesn’t see the borough doing anything with that area. Mr. Cigan asked how much land are we talking about. Patty stated we have 33 acres. Mr. Cigan asked how much land is being leased to Insalacos. Stan stated about 15 acres. Mr. Cigan commented that would impair other development in that area. He also asked if the Compost facility is there also and if this is in addition to it. Mr. Knick responded yes. It is unused land for years.

The other item Mr. Cigan addressed at this time is from last month’s meeting it was mentioned $125,000 into the road, Grove Street so that the trucks can get into the truck stop. He drove down that road and sees worse potholes on the corner of Everhart and Spruce than this. Stan stated we are looking at this because they are offering $50,000 to fix the road, not the borough. It was brought up to give them that road from their entrance down to the highway. They can take it over, we will give it over to them. It would be a burden off us. We do not get money from that road, it is not helping our residents out, and we keep putting money into that road. If we give them that right of way it will be their problem to fix it.

Third, Mr. Cigan asked the solicitor if he can share the information on the lawsuit against the borough. Stan and Erik stated no.

**MOTION TO SHIP LETTER TO PETRO REGARDING GROVE STREET REPAIR AND INQUIRING AS TO PETRO BEING INTERESTED IN TAKING OVER GROVE STREET**

Motion: Mrs. Hansen

Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

Engineer’s Report - Bob noted Erik brought up the environmental assessment issue. Bob then asked Patty if there was any progress on the pump station grant and if anything is needed from his office. Patty stated Bryan construction is ready to do his work there once his schedule allows. Bob stated the OCD pave project bids are being opened this evening. His office handed off two grant applications to the borough for their files.

Bob stated his office was requested to submit a project list update they are working on including:

. Flood Project – will reach out to contractor. Patty noted the annual creek inspection is scheduled

 For July 8th at 10 am.

.Pump Station Grant - still have money available either give back or we can install manhole liners.

.Paving rebid is out now.

.Walnut Street culvert we are waiting survey, once complete, we will apply for permits which is DEP GP 11 to replace that culvert. Once that is done it will go out to bid. Possibly this year for bidding if permits are in place, if not we can bid over the winter for Spring construction

. DEP Growing Greener is a big dollar item. Held a kickoff meeting with DEP grant advisor. We did not hear back. That is a bigger permit. That will take a little longer.

.MS4 – ongoing.

. ADA Ramps - Closed out. Patty did contact multi-scape to come back and do topsoil. Bob stated absolutely they couldn’t do it when they did the sidewalks last year. That is under their maintenance bond.

. Building Renovation – Bob contacted architects. Price came back higher than he expected. The price is about $10,000. Stan asked if there is another option. Bob explained that is design build that was agreed on. It includes survey of the building, discuss scope of work, specifications and narrative. Stan asked Bob what he thought it would come in at. Bob doesn’t deal with that everyday, but he estimated $4500. Stan stated we can still work with that because we need to move forward with this. Bob stated the architect can stop down next week do interviews and measure. Patty asked if the $10,000 is included in the grant application. Bob stated that is the problem, it is not. Basically what we are doing here and he spoke with Patty and the Chief that tightens down the scope of work and narrative. For example if we talk about painting this room and one says $1000 the other says $2500, what you don’t know is what paint is he using, how many coats of paint, does it include primer, etc.

**MOTION TO APPROVE UP TO $10,000 FOR ARCHITECT FOR BUILDING REMODELING PROJECT. HIGHLAND ASSOCIATES**

They will bill hourly and gave a price not to exceed. Pina asked who is the company? Bob stated Highland Associates. Stan asked if there was anyone else. Bob started to but did not get an answer from the second architect. Patty stated $10,000 is under bid threshold. Bob explained it is a professional service and does not have to be bid.

Motion: Mrs. Hansen
Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

Bob stated the rest of the update includes waiting on grant applications. Flood Mitigation and Greenways and Trails grant applications submitted and Grove Street and Walnut Street culvert grants being done. The other miscellaneous items at the bottom of the list are work being done with utilities.

Patty noted that Bob did not report the dollar amount of the projects or grants but she would like to mention the grant amounts. Flood Channel 85,000; Pump Station 50,000; OCD Pave 100,000; Walnut Street Bridge Replacement by Park 151,236; Growing Greener Grant for bank stabilization by Holden/Everhart and Almond down by Arturo’s is 326,000; and others. Patty stated she feels the engineer and council are doing a great job on securing grant money to get these projects done. There is a local match on some of the grants. Stan stated we try to apply for every grant we can and we have been lucky with the people that have worked with us that the town gets the money. If we had to pay out of pocket we would never get to do all this. The biggest project is the school sale for a senior housing project. We are looking at about $300,000 which will go to paving roads and fixing roads.

We bought the school to have control over what goes in there. We were looking out for our residents. The buyer would not tell us what their plans were for that large parcel.

Crime Watch Report – President Bob Price reported that last month’s meeting had low attendance due to the Tornado warning minutes before the meeting. This month’s meeting is scheduled for 7 pm on June 25th and speaker is Honorable Judge Fred Pierantoni. Bob also stated August 10th Dupont Neighborhood Crime Watch will be joining Duryea. We have a lot going on this summer.

Council President’s Report:

Stan reported the following: Trash – 72.22 tons; Comingle – 7.89 tons; Paper 12.41 tons.

Mileage 550 – 18,894; 3500 – 62,582; Mack – 0; Recycler -22,136 Packer - 55,364.

Recycler needs leaf springs. We used the recycler truck to pickup trash and take to landfill when packer was down. We were notified by the landfill that the recycling truck cannot go into the landfill.

The packer is in rough shape and we have to look into a grant for $300,000 or better to get a new packer. Otherwise we might have to look into outsourcing the trash collection. The guys can’t keep up anymore and there are other projects to get done. In addition, with gas lines and everything companies are looking for cdl drivers and we cannot pay what other companies pay. We will look into everything and keep everyone posted.

Patty asked to update two projects: (1) UGI Get Gas Project – The latest email from UGI, knowing there are residents from Gill, Hill and Walnut in the audience, they are planning on starting phase 2 construction during first week of July this year. They will start at the intersection of Hill and Lidy to install the northern most part of the project to beat the borough’s pave project as much as possible.

Phase 2 includes Hill from Lidy to Wlanut at Gill, the entirety of Gill Street and Walnut Street between Gill and Park Place and then Holden from Walnut to Spruce. They will be out hanging door hangers. Anyone interested and has not already done so should go online to ugi website and register for get gas program. (2) Water Main Replacement Project Main Street - Email from James Hoover today stated he is working with Leeward Construction who was awarded the project. There was a change in the state permit that had to be worked out but they have the ok to start the project. Bob asked about a complex project meeting through pa one call that may be set to discuss the changes. In the meantime, Patty stated she spoke with Ron Ralston from Representative Carroll’s office who said that Penn DOT is paving from Grimes Industrial Park to R & M Collision on corner of Laurel and William Street this year. That would include the area on main street for the water project. To review Penn DOT projects go to their website and look under construction. It shows the map of the project area. Stan asked if the UGI is adding gas lines for the 400 block of Main. Patty is not aware.

**MOTION TO ACCEPT THE REPORTS PRESENTED.**

Motion: Mr. Kowalczyk

Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO APPROVE PAY BACK OF $15,000 FROM GENERAL FUND TO SEWER MAINTENANCE FUND TOWARD LOAN BALANCE FROM 2018 (**completed after May Meeting, missed on May mtg agenda)

Motion: Mr. Kowalczyk
Second: Mr. Karkut

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO OPEN, READ, AND AWARD THE BIDS FOR THE OCD PAVING PROJECT.**

Motion: Mr. Karkut

Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

Three Bids Received: Bob noted there is an add alternate and a base bid. Add alternate is Wilson Street.

Mihalka Trucking & Excavating: Bond Present

Base Bid - $ 104,797.00

Add Alternate - $ 9,675.75

Total- $ 114,472.75

American Asphalt – Bond Present

Base Bid - $ 119,944.00

Add Alternate - $ 13,901.00

Total - $ 133,845.00

Pennsy Supply – Bond Present

Base Bid - $ 107,700.00

Add Alternate - $ 12,175.00

Total 119,875.00

**MOTION TO AWARD THE OCD PAVING PROJECT TO MIHALKA TRUCKING AND EXCAVATING FOR BASE BID AND ADD ALTERNATE – TOTAL $114,472.75 WITH $100,000 FROM OCD MONEY AND BALANCE FROM SPECIAL FUND**

Motion: Mr. Karkut

Second: Mr. Kowalczyk

Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION TO APPROVE SETTLEMENT AGREEMENT AND SIGN NECESSARY DOCUMENTS TO CLOSE OUT**

**LEGAL MATTER $25,000 AND APPROVE BORROWING FROM SEWER FUND VS BANK LOAN WITH PAYMENT IN FULL BY DECEMBER 31, 2019 ,  AND APPROVAL FOR ATTORNEY TO SEEK REIMBURSEMENT FROM CURRENT AND PRIOR INSURANCE COMPANIES**

Motion: Mrs. Hansen
Second: Mr. Karkut
Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**MOTION APPROVING RESOLUTIONS AND OTHER DOCUMENTS REQUIRED FOR SUBMITTAL OF TWO MULTIMODAL GRANT APPLICATIONS, ONE FOR REPLACEMENT OF WALNUT STREET BRIDGE BETWEEN GILL AND EVERHART AND THE OTHER FOR REPAIRS TO GROVE STREET INCLUDING PAVING, DRAINAGE, LINE PAINTING**

Motion: Mr. Kowalczyk
Second: Mr. Karkut
Roll Call Vote: Mr. Knick, yes; Mr. Kowalczyk, yes; Mr. Kaminski, Excused; Mrs. Hansen, yes; Mr. Karkut, yes. Motion Carried 4/0.

**Summary** of Matters from Residents in Attendance:

1, Mr. Mogensen, 123 Everhart Street – (a) Sewer Line Inspection, he is getting backup (2) Pothole in front of 121 Everhart (3) August Church Picnic Traffic Control, Moving Violations, Roving Patrols (4) Fireworks - Since May there are fireworks going off, should only be 4th of July .

Chief Doran addressed the Picnic Traffic comments. Mr, Mogensen questioned whether the Church sponsoring the event should be responsible for the traffic control.

2. Mr. Wesley, 314 Lidy Road - Gutter and Water Problem - As in past meetings he brought this problem to Council’s attention and told something would be done.

 Mr. Kowalczyk suggested that Mihalka who was awarded the pave project go up and address

the problem as discussed. Mark and Mr. Wesley asked to be included in that site visit.

3. Mr. Lizak, 201 Gill Street – 109 Gill, did second violation letter go out for 2019; has the blighted property application been resubmitted with corrections; the status of the history book as part of the clock donation project.

 Mr. Knick addressed the citation and was told that was back from 2018, this is for a new citation

 for this year. Bob Price stated it takes time to write a book, it should be completed by end of summer/

4. Mr. Slivkanch, 150 Holden Street - Republican candidate for Council upset with the $10.00 across the board refuse fee in 2019 which was a 12% interest for seniors and 9% for families. Mrs. Hansen spoke on this issue. Mr. Karkut and others offered comments. The discussion received the gavel for order.

5. Mr. Cigan, 211 Gill Street – Potholes on Gill Street temporary repairs needed.

6. Mr. Battista, 302 Gill Street – Gas Line status on Gill Street

7. Mr. Wywoda, 114 Lackawanna Avenue - Status of conversations with churches regarding the bells.

 Mr. Mogensen also commented on the church bell issue.

 Mr. Slivkanch also commented on the church bells

 Council including Mr. Knick and Mr. Kowalczyk as well as Mayor talked about this issue including

 They suggest the residents approach the Priest directly, how it doesn’t fall under nuisance

 Ordinance, and by changing the ordinance that would affect contractors and other situations, not just church bells. Solicitor Dingle added comments on fighting the ordinance and what he

 believes would come from a lawsuit filed at court over this matter. There would be a

 possibility the church sues the borough and then it falls back on the taxpayers.

 People should ban together. Mrs. Hansen suggested they get signatures on a petition from

 Property owners near church. Mr. Mogensen asked how much the town gets in taxes from

 Church. His other issue was the illegal parking. Mr. Wywoda also presented pictures to the

 Chief on this issue. Mayor Lello and Chief responded. Chief spoke with fire department to

 See if there was an issue getting fire truck through, they stated no. This will be looked into

 And discussed further about either parallel parking, line painting, or no parking signs.

8. Fred Kotula, 134 Lidy Road – Issue with Verizon pole damaged about two years ago. It was replaced, but old pole not removed. Contacted Patty at the office, she made a phone call and within three hours it was taken care of.

9. Mr. Slivkanch, 150 Holden Street – Beavers Lunch Main Street, Old sign, with chain and sphere, should be removed.

Matters from Mayor and Council:

Mayor Lello –With all this enthusiasm about the town, on June 29, 2019 Lions Club will conduct a Cleanup Program. Meet at Borough Building at 8 am. From Pilot to Chestnut Street. Also, we will be installing signs for no littering with fines. Pina stated on the hill behind Arena’s garage over the hill is a problem area. Mayor plans include sprucing up whole town. Junk yard other side, working on that. Years ago Lions Club Clean up Program with Penndot. Mr. Knick stated Mr. Hansen started that cleanup Adopt a Highway Project through Lions Club. Mr. Knick asked Mayor if he will be there this time.

Mrs. Hansen - Kudos to our police department. Especially, Officer Polemitis. She is doing a terrific job with code enforcement, traffic control and training. Kudos to all other officers. She is great – girl power. Great officer. Mr. Mogensen commented he does not even know the officers. They should spend time on each street and introduce themselves. Chief Doran talked about patrols, door check process and other duties of the officers. Mrs. Hansen suggested they attend crime watch meetings. Officers do attend the crime watch meetings. Bob Price added that the officers do attend the crime watch meetings and gives a police report. Mrs. Hansen stated the Chief is at almost every council meeting.

Mr. Kowalczyk – Nothing

Mr. Karkut – Nothing

Mr. Knick – We will try to work on your problems. Be patient. We have a lot of grants we are working on. The biggest concern is the streets and we will get them paved and potholes filled. It will take a little time.

Mr. Wywoda asked the engineer about his comment on painting. He commented a few people can come in and do the painting. Bob explained he used that as an example on the spec process.

MOTION TO ADJOURN.

Respectfully submitted, Adopted and Approved

Patricia McDonald Stanley Knick Jr.

Borough Secretary Council President