

**WEATHERLY BOROUGH COUNCIL
REGULAR MEETING
October 28, 2024
5:00 P.M.**

The Regular Meeting of Weatherly Borough Council was held on October 28, 2024, at 5:00 p.m. in the Municipal Building.

Mayor Paul Hadzick called the meeting to order, followed by the invocation and pledge of allegiance.

Council Members attending: Michael Bellizia, Vincent Cuddeford II (via phone), Joseph Cyburt, Theresa D’Andrea, Jeffery Miller, Norman Richie, and Paul Hadzick.

Also attending: Borough Manager, Harold Pudliner; Borough Solicitor, James Nanovic; Borough Secretary, Lori O’Donnell; Deputy Borough Manager, Tracy Grover; Police Chief Brian Markovchick, Blue Ridge Cable Channel 13 Cameraperson, Andrew Puka; Journal Newspaper reporter, Ruth Isenberg; and citizens: Kevin Kennedy, Elizabeth Parker and William Carbohn.

MINUTES:

The minutes of the Regular Meeting of September 23, 2024, were presented to Council for approval.

The minutes of the Regular Meeting of September 23, 2024, were approved on a motion by Joseph Cyburt, seconded by Jeffery Miller, and approved by general acclaim of Council.

TREASURER’S REPORT:

The Treasurer’s Report for September, 2024, was presented and reflected a balance of \$228,724.25.

The Treasurer’s Report for September, 2024, was approved on a motion by Norman Richie, seconded by Joseph Cyburt and approved by roll call vote:

Vincent Cuddeford II	Yes	Joseph Cyburt	Yes
Michael Bellizia	Yes	Theresa D’Andrea	Yes
Jeffery Miller	Yes	Norman Richie	Yes
Paul Hadzick		Yes	

BILLS:

The bills for October, 2024, totaling \$291,878.67 were presented to Council.

Norman Richie questioned the bill for the Police Department for \$1,771.87 for the 2022 Ford from Paul’s Auto Center. Mr. Pudliner stated that they backed into a pole and body work repairs were needed. Mr. Richie questioned why the insurance did not pay for the repairs. Mr. Pudliner stated that it something of this amount he would not submit the damage to the insurance company because the insurance deductible is \$1,000.00. Mr. Pudliner said he would check to see if he submitted the damage to the insurance company.

A motion to approve all of the bills was made by Joseph Cyburt, seconded by Jeffery Miller and approved by roll call vote:

Michael Bellizia	Yes	Joseph Cyburt	Yes
Jeffery Miller	Yes	Vincent Cuddeford II	Yes
Theresa D’Andrea	Yes	Norman Richie	Yes
Paul Hadzick		No	

OTHER ITEMS OF CONCERN:

William Carbohn of 462 Plane Street inquired about the investigation into Alvin Knepper’s private sewer line. He stated the PUC informed him that they were investigating Knepper’s sewer line two weeks ago. He also stated that the Borough crew was on Mr. Knepper’s property digging up the sewer line. He requested the status of the investigation. Mr. Pudliner stated that his situation was a civil matter between him and Mr. Knepper because it is a private sewer line. The Borough received a copy of the letter from the Department of Environmental Protection regarding the situation. Mr. Carbohn stated that Rob Fugate is a Sewage Enforcement Officer in Drums, PA.

Kevin Kennedy asked if the Youth Soccer would be able to use the Babe Ruth field at Eurana Park, since there is no Babe Ruth teams in Weatherly anymore. He was not sure who he needed to ask for permission. Mr. Pudliner they would discuss his request. Mr. Pudliner said he would meet with Mr. Kennedy on the matter. Joseph Cyburt stated that he would like to see the Youth Soccer use the field.

Elizabeth Parker questioned whether everyone has their own water and sewer lines. Mr. Pudliner said that there a minimal number of private lines.

BUSINESS:

1. Open Bids for 120 Acre Parcel.

Mr. Pudliner stated that the parcel was advertised and the bids needed to be opened. There was only one bid received on this parcel and reflected the following:

Tom Morelli \$40,000.00

Jeffery Miller said that the Borough should hold onto the land till later and use it as a nest egg for the future because it was not costing the Borough anything.

A motion to table the sale of the 120-acre parcel for re-bid was made by Norman Richie, seconded by Joseph Cyburt and approved by general acclaim of Council.

A motion to reject the bid received and re-bid the 120 acres was made by Norman Richie, seconded by Joseph Cyburt and approved on a roll call vote:

Norman Richie	Yes	Joseph Cyburt	Yes
Jeffery Miller	No	Vincent Cuddeford II	Yes
Michael Bellizia	Yes	Theresa D’Andrea	Yes
Paul Hadzick		Yes	

2. Open Bids for Downtown Parking Lot on Wilbur Street

Mr. Pudliner stated that the parcel was advertised and the bids needed to be opened. The following bids were received and opened:

Luke Medico	\$12,542.00
Gerard Grega	\$26,789.00
TP & GE Properties	\$10,500.00
(Stephen Weichman)	

A motion to accept the bid from Gerard Grega in the amount of \$26,789.00 was made by Michael Bellizia, seconded by Theresa D’Andrea and approved on roll call vote:

Norman Richie	Yes	Jeffery Miller	Yes
Theresa D'Andrea	Yes	Vincent Cuddeford II	No
Michael Bellizia	Yes	Joseph Cyburt	Yes
Paul Hadzick		Yes	

3. Discussion on Packer Township Fire Protection Agreement.

Mr. Pudliner provided Council with the fire protection agreement that both Packer Township, Citizens' Fire Company No. 1 and the Borough committee had found to be acceptable. It is a five-year contract which is good in the fact that negotiations are not every year.

Solicitor James Nanovic stated that on October 13, 2024, met with the Packer Township Supervisors, Norman Richie, Michael Bellizia and Vincent Cuddeford II. The agreement states:

Payments:

Year #1 - \$33,000.00

Year #2 - \$35,000.00

Year #3 - \$36,000.00

Year #4 & 5 – will reflect a cost-of-living increase per social security

Also, the ½ maintenance cost was lowered to a limit of 3 occurrences.

FIRE PROTECTION AGREEMENT

THIS AGREEMENT, made this 28th day of October, 2024, between the Board of Supervisors of **PACKER TOWNSHIP**, Carbon County, Pennsylvania, a Municipal Corporation hereinafter called "Packer" and **CITIZENS FIRE COMPANY, NO. 1**, non-profit Association located in Weatherly, Pennsylvania, hereinafter called "**Fire Company**" and **WEATHERLY BOROUGH** of Weatherly, Carbon County, Pennsylvania, a Municipal Corporation called "Weatherly Borough" as follows:

WHEREAS, the Fire Company is non-profit association of citizens volunteers organized for the purpose of fighting fires; and,

WHEREAS, Weatherly Borough supports the Fire Company by purchasing worker's compensation insurance to cover the activities and the volunteers of the Fire Company; and,

WHEREAS, Packer wishes to obtain fire protection for its citizens and their property.

NOW THEREFORE, the parties intending to be legally bound, agree as follows:

1. The Fire Company agrees to respond to calls for assistance in Packer with its then available personnel and equipment for the purpose of controlling, extinguishing and/or preventing uncontrolled fires which pose a hazard to life and/or property.

2. Weatherly Borough agrees to extend its worker's compensation insurance which it maintains for the Fire Company to cover the activities of the Fire Company within Packer.

3. Packer agrees to indemnify and save harmless Weatherly Borough, Fire Company and the agents, servants, members and employees of both from any, and all claims, including costs, attorney fees and expenses relating thereto arising out of, touching or concerning any of the activities of the same rendered pursuant to this Agreement which exceed the applicable insurance limits of Weatherly Borough at the time of any such occurrence when responding to all calls within Packer limits. The obligation of Packer Township to indemnify and hold harmless Weatherly Borough, the Fire Company and its agents, servants, members and employees is limited to the extent of the insurance coverage available to Packer Township. Packer Township agrees to list Weatherly Borough and the Fire Company as additional insureds.

4. In consideration of the fire services above mentioned, Packer pledges to pay to Weatherly Borough the following sums of money, payable in monthly installments, commencing January 1, 2025. Monthly payments of\$ 2,750.00 for the year of 2025; monthly payments for the year 2026 - \$2,916.00; monthly payments for the year 2027 - \$3,000.00; the rears of 2028 and 2029 - A general increase/decrease

based on the Social Security Cost of Living increase/decrease for the previous year, based on the 2027 & 2028 monthly payment. The amounts set forth above will be paid on a monthly basis without the necessity of the Borough providing a bill to Packer Township.

5. Packer Township will agree, with prior notice, pay one-half (1/2) of any invoice in excess of \$4,000.00 for a single component vehicle repair not covered by insurance. This provision shall not apply to any planned or anticipated NFPA code expense which shall be covered by the maintenance budget, and not this provision. This provision shall be limited to (3) three occurrences annually.

A motion to approve the Packer Township Fire Protection Agreement with Weatherly Citizens' Fire Company No. 1 was made by Joseph Cyburt, seconded by Jeffery Miller and approved on roll call vote:

Joseph Cyburt	Yes	Vincent Cuddeford II	Yes
Theresa D'Andrea	Yes	Michael Bellizia	Yes
Norman Richie	Yes	Jeffery Miller	Yes
	Paul Hadzick	Yes	

4. Discussion on making Chestnut Alley one way.

Paul Hadzick suggested that they wait to see what the school project will need. Mr. Nanovic stated that it could be a while till the school project starts, and which direction should it be one way he asked. Chief Brian Markovchick said that there is not much traffic in the alley and he knows it is narrow. Mr. Pudliner said that a resident with a garage in their backyard would only have to worry about traffic from one direction. Chief Markovchick said he had no suggestion as to which direction the one way should be made. Paul Hadzick suggested putting the issue on hold for now. Chief Markovchick said that he would check with the street department on how they plow the alley. Mr. Pudliner stated that they plow towards East Main Street.

This issue was tabled.

5. Discussion on marking Church Street one way.

Mr. Pudliner informed Council that a resident made a suggestion that while considering Chestnut Alley one way that Council should also consider Church Street for one way. Chief Markovchick said that the garbage truck goes up because of the angle they have to turn. Mr. Hadzick said that the Police Chief should do a study of the situation with Church Street as to the best option for the fire department, garbage truck and the residents.

This issue was table.

EXECUTIVE SESSION:

A motion to enter executive session at 6:01 pm was made by Joseph Cyburt, seconded by Norman Richie and approved by roll call vote:

Michael Bellizia	Yes	Jeffery Miller	Yes
Vincent Cuddeford II	Yes	Joseph Cyburt	Yes
Theresa D'Andrea	Yes	Norman Richie	Yes
	Paul Hadzick	Yes	

A motion to exit the executive session at 6:51 pm was made by Joseph Cyburt and seconded by Michael Bellizia.

ADJOURN:

A motion to adjourn the meeting at 6:52 pm was made by Norman Richie, seconded by Joseph Cyburt.