

**WEATHERLY BOROUGH COUNCIL
REGULAR MEETING
March 24, 2025
5:00 P.M.**

The Regular Meeting of Weatherly Borough Council was held on March 24, 2025, at 5:00 p.m. in the Municipal Building.

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

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

Also attending: Borough Manager, Harold Pudliner; Borough Solicitor, James Nanovic; Borough Secretary, Lori O’Donnell; Police Sgt. Michael Bogart; Times News reporter, Kelly Socha; Journal Newspaper reporter, Ruth Isenberg; and citizens: Bill Beattie, Corey Gerhart, Matt Quinn, Robert Maclachlan, Jim & Sue Danenhowe, Georgeanne Herling, Harry Shelhammer, Keri Croman, Jason Croman, Jack Croman, April Hauser, Luke Dion, Conner Troell, April Hoffman, Nicholes Rivera, Laura Ieraci, Calos Rivera, Autumn Gilbert, Tucker Gilbert, Korah Gilbert, Fred Posser, and Nando Posser.

MINUTES:

The minutes of the Regular Meeting of February 24, 2025, were presented to Council for approval.

The minutes of the Regular Meeting of February 24, 2025, 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 February, 2025, was presented and reflected a balance of \$129,636.44.

Norman Richie questioned that balances on the treasurer’s report because they did not calculate to the totals on the report. Mr. Pudliner stated that all of the beginning balances were actually negative numbers, but could not get the program to print them as negative numbers.

The Treasurer’s Report for February, 2025, was approved on a motion by Norman Richie, seconded by Joseph Cyburt and by general acclaim of Council.

BILLS:

The bills for March, 2025, totaling \$322,998.30 were presented to Council.

Norman Richie questioned the Snyder & Clemente bills and asked Mr. Pudliner if we received the audit reports from them yet. Mr. Pudliner stated that he had not received the copies of the audit yet, they are not done. He added that if we don’t pay them, we would not get them and that is why he was paying their bill.

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

Michael Bellizia	Yes	Joseph Cyburt	Yes
Jeffery Miller	Yes	Vincent Cuddeford	Yes

Norman Richie

No

Paul Hadzick

Yes

OTHER ITEMS OF CONCERN:

High Street One-Way:

Robert Maclachlan stated that he would like to keep Butz Street a one-way street from West Main Street to High Street. Mr. Pudliner stated that Butz Street from West Main to High Street is only a one-way in the winter time. It is a one-way down until April 15th each year. Mr. Maclachlan stated that there is a school bus stop at the intersection and he said he witnessed a Borough truck going up the one-way the wrong way last week. The police should enforce the one-way because cars are going up the wrong way. Michael Bellizia said that a survey should be done with the residents in the area. Mr. Maclachlan stated that he spoke to the residents in the area and they signed a petition to keep it a one-way all year. He also stated that he has had damage done to his property twice. Mayor Hadzick said the Borough would look into it. Michael Bellizia stated that keeping it a one-way all year may be an inconvenience for the people on the Rocks.

Memorial Day Parade Request:

Harry Shelhammer, the Commander of the American Legion, thanked everyone for their support and asked for permission to hold the Memorial Day Parade using the same parade route as in the past. He also asked the Borough for their yearly \$500 donation towards the parade.

A motion to approve the Memorial Day Parade and the annual \$500 donation to the Legion for the parade was made by Joseph Cyburt, seconded by Jeffery Miller and approved by general acclaim of Council.

American Legion Building:

Georgeanne Herling stated that if the Borough had any questions or concerns about the Legion building, they should just ask them. Mrs. Herling said that she heard that the Borough wanted the Legion to move up to Tweedle Park. Mayor Hadzick said that he said it because someone wants to put in a McDonalds. Mrs. Herling stated that they are not interested in moving to Tweedle Park and it would be an inconvenient. They would not feel safe going up there in the dark. Mayor Hadzick said that he mentioned it to Theresa D'Andrea and he is looking to sell everything.

BUSINESS:

1. Presentation of Bird Houses – Troop Leader Jason Croman.

The scout troop made bird houses to be placed around the Borough and/or the park. The scouts brought the bird houses with them to the meeting and presented them to the Borough. The scouts made the bird houses as part of a scouting project, Arrow of Light.

2. Open Bids and Award for Paving.

Mr. Pudliner stated that he put part of North Street and Second Street to Blakeslee Avenue out to bid. Whatever comes in with our budget of liquid fuels is the one we should accept. He made the contractors aware of the fact that there were two out to bid but only one would be chosen. Mr. Pudliner stated that the liquid fuels allocation for this year was \$78,437.52. This amount allows for street sweeping and road salt for next winter. Mayor Hadzick asked if the money can be used for a salt shed? Mr. Pudliner said that only a small portion can be used for a salt shed. Mr. Pudliner added that there is base work and milling at the curbs to be done prior to paving.

The bids received were as follows:

	<u>Second Street</u>	<u>North Street</u>
H & K Group	\$63,280.00	\$52,474.00
New Enterprise Stone & Lime Co.	\$62,864.16	\$55,574.34
Lehigh Asphalt	\$62,918.40	\$54,381.76
Pennsy Supply	\$75,235.40	\$66,546.10

A motion to accept the bid from New Enterprise Stone & Lime Co. for Second Street with a bid of \$62,864.16 was made by Joseph Cyburt, seconded by Michael Bellizia and approved by roll call vote:

Norman Richie	Yes	Jeffery Miller	Yes
Vincent Cuddeford	Yes	Michael Bellizia	Yes
Joseph Cyburt	Yes	Paul Hadzick	Yes

3. Open Bids and Award for Eurana Park Project.

Mr. Pudliner stated that this bid is for the basketball court and the two pickle ball courts, as well as a courtyard by the courts. It also includes, paving of the paths in the park and terracing of the bandshell seating area and new bench slats.

Mr. Pudliner said that five plans, but no bids were received. It will have to go out to bid again, if time is an issue we may need to have a special meeting.

4. Open Bids and Award for Trail Contract 11.

This contract covers the installation of the water controls on the section of the trail from Yeakle Street to the convergence of the Hazle Creek and the Quakake Creek. And the removal of trees by the bridge areas so that the soil drilling company can get the test borings so we can order bridges.

One bid was received from Chris Herbener Trucking & Excavating, LLC for \$88,371.06.

Mr. Pudliner stated that he would like to rebid the project.

A motion to reject the bid received and rebid the project was made by Norman Richie, seconded by Joseph Cyburt and approve by general acclaim of Council.

5. Award Bid for Tail Feasibility.

Mr. Pudliner applied for the grant for this project because the Hazleton Rails to Trails had requested a meeting to join to our trail. There as a meeting held with the Hazleton Rails to Trails person, tom Hall, Brad from Senator Argall's office, and Cristine, the regional person from DCNR. Since the Hazleton trail did not have the means to write the grant, both DCNR and the Senators Representative suggested that we write it. Hazleton will be responsible for the work to be completed with our oversight and they will pay the match money of \$7,500.00. Vincent Cuddeford questioned how much else has to be done on the trail and Mr. Pudliner stated it would be minimal time to oversee the work. The bids received were:

Benesch	\$59,760
Atlas	\$91,180
Barry iSett	\$50,000

A motion to accept the bid from Barry iSett in the amount of \$50,000 was made by Joseph Cyburt, seconded by Michael Bellizia and approved by roll call vote:

Vincent Cuddeford	Yes	Michael Bellizia	Yes
Norman Richie	Yes	Joseph Cyburt	Yes
Jeffery Miller	Yes	Paul Hadzick	No

6. Key Lock Box Ordinance.

Mr. Pudliner explained that there was a discussion at the last meeting in regards to the price of the boxes and who would pay for them. He spoke to Tom Breznitsky, the Fire Chief, and he said that the Fire Company will cover all of the costs for the equipment needed by the fire department, the only thing the Borough will have to pay for is the advertising of the ordinance.

Mayor Hadzick asked the reason for the key lock boxes. Vincent Cuddeford stated so the fire company does not have to break doors down, they would have key access. It would be for businesses and apartment buildings. It will cost \$1,200 per truck for the box. Their goal is to get four boxes. Norman Richie asked if this would be required or optional. Mr. Cuddeford stated that the ordinance requires the box for businesses and apartment buildings, but residences are optional. Jeffery Miller asked if anyone would be able to break into the box and Vincent Cuddeford said he never saw it tested and is unsure of their durability. Norman Richie asked if the businesses were approached about their feelings about the key boxes. Vincent Cuddeford said they did not speak the businesses. Joseph Cyburt said the businesses should be informed beforehand.

A motion to table the Key Lock Box Ordinance for the fire company to talk to businesses was made by Joseph Cyburt, seconded by Norman Richie and approved by general acclaim of Council.

7. Tax Collector Request to Destroy Records

The tax collector will periodically request of Council permission to dispose of records as per the Municipal Records Manual via a resolution by Council. She has requested the disposition of records for 2022, 2019, and 2017.

Please authorize disposition of the following records currently held in my position as Weatherly Borough Tax Collector by resolution in accordance with the Municipal Records Manual retention policies in Section TA:

TA-2 -Tax Certifications (must retain 2 years)

Permission to dispose of records from: 2022

TA-3 -Change of Address Records (must retain 2 years)

Permission to dispose of records from: 2022

TA-11 - Real Estate Property Transfer Records (must retain 2 years)

Permission to dispose of records from: 2022

TA-1 - Unpaid Taxes Issued to Sheriff for Property Sales (must retain 2 years)

Permission to dispose of records from: 2022

TA-12 -Tax Bills and Paid Receipts (must retain 2 years)

Permission to dispose of records from: 2022

TA-5 - Exoneration Certificates Issued to Tax Collector-Assessment Changes (must retain 5 years)

Permission to dispose of records from: 2019

TA-5- Exonerations- Per Capita and Occupational (must retain 5 years)

Permission to dispose of records from: 2019

TA-4 - Delinquent Tax Collection Records (non-real estate)/Lien Lists (must retain 1 year after taxes have been paid)

Permission to dispose of records from: none at this time

TA-13 -Tax Collector Monthly Reports to Taxing Districts (must retain 7 years)

Permission to dispose of records from: 2017

TA-15 & TA-6 -Tax Collector Duplicates and General Ledgers (must retain 7 years)

Permission to dispose of records from: 2017

With your permission, all records listed above will be shredded during customer shredding days at branches of Mauch Chunk Trust Company (during April and May, 2025).

Respectfully,

Deborah A. Kohler, Tax Collector

**RESOLUTION
2025-**

RESOLVED BY THE BOROUGH COUNCIL OF WEATHERLY BOROUGH, CARBON COUNTY PENNSYLVANIA, THAT

WHEREAS, by virtue of Resolution No. 2025- , adopted March 24, 2025, the Borough of Weatherly declared its intent to follow the schedules for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED BY Borough Council of the Borough of Weatherly, Carbon County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office of the Tax Collector: See attached list from Deborah A. Kohler, Dated March 7, 2025

A motion to approve the Resolution for the Disposition of Tax Collector Records was made by Joseph Cyburt, seconded by Jeffery Miller and approve by general acclaim of Council.

8. Electric Re-Connection and Inspection Requirements Discussion

As per the discussion at last month's meeting Atty. James Nanovic prepared the ordinance for Council's approval for him to publish.

ORDINANCE NO. 2025 -

**AN ORDINANCE OF THE BOROUGH OF WEATHERLY,
CARBON COUNTY, PENNSYLVANIA AMENDING CHAPTER
27 OF THE WEATHERLY BOROUGH CODE AND RESTATING
SECTION 27-31.**

WHEREAS, the Borough Council of Weatherly Borough adopted Chapter 27 of the Borough Code regarding electric service rules and regulations; and

WHEREAS, Borough Council wishes to amend Section 27-31 of said Chapter.

NOW THEREFORE, be it enacted and ordained by the Borough Council of Weatherly Borough that Section 27-31 shall be amended and restated as follows:

Section 27-31(a) Customer Installation and responsibility.

A. It is necessary for the protection of the Customer that all work, wiring and apparatus should be installed and maintained by an experienced, licensed electrician in a safe manner.

B. The Customer, in accepting service from the Company, assumes full responsibility for the safety and efficiency of the wiring and apparatus installed by the Customer. The Customer agrees to, indemnify and save the Company harmless against any liability that may arise as the result of the use of the service supplied to the Customer by the Company.

C. The Customer shall not operate any apparatus creating a condition which prevents the Company from supplying satisfactory service to the Customer or to other Customers. The Company reserves' the right to place restrictions on the type and manner of use of all Customer's electrical equipment connected to Company's lines, especially prohibiting any loads of highly fluctuating or low power factor character.

D. All emergency generators installed or used by a Customer must comply in all respects with the provisions of Article 700 of the National Electric Code, entitled "Emergency Systems", and any and all amendments thereto.

Section 27-31(b) Customer's Equipment-Inspection

A. Requirements.

The customer's wiring and electrical apparatus shall be installed, maintained and operated by the customer in accordance with and in conformity to any and all, local or other governmental requirements, the National Electrical Code and the IRC, and this Ordinance.

B. Inspection and Approval.

Company requires that customer's new, changed, or ungraded electric service entrance facilities be inspected and approved by individuals who are registered or certified by the Commonwealth of Pennsylvania Department of Labor and Industry. This requirement applies to temporary and permanent electric service entrance facilities.

Company requires an electrical inspection and Company work order when:

- Meter and/or service tampering or involved in theft of service
- Meter blocked for a period of more than one year
- Meter removed for a period of more than one year
- Meter and service removed for a period of more than one year
- Service line cut at pole for a period of more than one year
- Replacing a meter base
- Changing a meter location
- Upgrading service (example: 100 to 200 amp)
- Changing from fuses to breakers (which requires service panel to be replaced)
- Replacing a weather head
- Replacing a main breaker (in the service panel inside of the building)
- Replacing a Main Disconnecting Means (main switch or transfer switch)
- Slip riser installation (if change to meter base is needed)
- Changing service mast
- Changing from overhead to underground
- Renewable energy (Distributed Generation) installations
- Generator (emergency/standby) installation
- Storm damage to meter base and/or service entrance cable
- Anytime there is a fire in a premise, regardless of whether or not there is damage to the electric service. See f below Electrical Inspection Required After a Fire Main breaker panel, fuse box, or meter base was under water. See g. Electrical Inspection Required After a Flood.

Company requires all inspection requirements per the NESC, NEC, state, municipal, local, fire and any other applicable code must be met.

Inspection cut-in cards must be received at the local Company office before any service request job can be scheduled. Successful completion of the inspection indicates to Company that the customer's service entrance facilities are ready for the introduction or re-introduction of electricity by Company from Company's electric, distribution system. Inspectors who are certified or registered by the Commonwealth of Pennsylvania Department of Labor and Industry are listed on the [Listing of Certified and Registered Code Officials](#) Web page click on Certification List (updated daily).

Company recommends, in the interest of the customer's protection, that all new wiring or changes and additions to existing wiring be inspected even when there is no Company involvement. Additionally, Company urges the customer to have any electrical work inspected if a temporary disconnect was required.

C. Inspection Exemption -Railroad Not Covered in NEC:

Per NEC 90.B(3) Installations of railways for generation, transformation, transmission or distribution of power used exclusively for operation of rolling stock or installation used exclusively for signaling and communication purposes are not covered by the NEC and therefore exempt from inspection requirements to connect and reconnect service.

D. Company May Refuse to Connect to Customer's Facilities Which are Dangerous and Defective:

Company does not inspect the customer's wiring or electrical apparatus. Before connecting a service, Company checks to see that the customer's service entrance facilities are installed according to Company specifications and are in compliance with Company's Rules for Electric Meter and Service Installation (REMSI) Document.

Company may refuse to connect the service whether or not a signed cut-in card has been secured, when in Company's judgment, the customer's service entrance facilities are dangerous or defective, do not conform to these rules, or were not installed in accordance with Company's specifications.

E. Company is Not Responsible for Customer's Wiring or Equipment:

In accordance with Rule 2G of Company tariff; Company is not responsible for the customer's wiring or equipment.

Furthermore, any electrical inspection agency whose cards are accepted by Company is not an agent of Company in any respect whatsoever, and no liability to Company results from the reliance of the customer on any approval obtained from any such electrical inspection agency. Customers must rely solely on the electrical inspection agencies for assurance that their facilities are safe.

F. Electrical Inspection Required After a Fire:

An electrical inspection is required anytime there is a fire, in a premise, regardless of whether or not there is damage to the electrical service.

If a premises neighboring the fire location has had their meter pulled due to fire, and they share a connecting wall (eg: Apartment, town house, row home, twin home, etc.) that premises will also be required to have an electrical inspection prior to reconnecting service regardless of whether or not there is damage to their electrical service.

If a premises neighboring the fire location has also had their meter pulled due to a fire, and;

1. The meter was pulled as a precautionary measure only.

2. The premises DO NOT share a connecting wall (eg. Apartment, town house, row home, twin home, etc.) with premises that had the fire, and
3. There has been no fire damage to any part (internal and/or external) of the premises, an electrical inspection will not be required prior to reconnecting service.

G. Electrical Inspection Required After a Flood:

Company requires an electrical inspection if the main electric panel (service disconnect equipment), fuse box or meter base was under water.

If the meter base was not under water, Company will require the customer to sign a waiver attesting that the main electrical panel or fuse box was not under water prior to unblocking the meter.

Company will not enter the building to inspect for water damage on the customer's equipment.

H. Cut -In Card Documents:

An electronic or printed version of the cut in card will be submitted to the Borough Office to create a work order number for the electronic department to complete.

In all other respects this Ordinance shall remain the same. This Ordinance shall take effect five (5) days after enactment.

A motion to advertise the Electric Re-Connection and Inspection Requirements Ordinance was made by Michael Bellizia, seconded by Joseph Cyburt and approved by general acclaim of Council.

9. Resolution for Price Change on Electric.

Mr. Pudliner stated that the customer change was not increased with the other rates and this resolution will make the correction to the ordinance.

**BOROUGH OF WEATHERLY RESOLUTION NO.
2025-**

**A RESOLUTION OF THE BOROUGH OF WEATHERLY ADJUSTING ELECTRIC RATES
TO CUSTOMERS IN THE BOROUGH**

WHEREAS, Chapter 27 of the Weatherly Borough Code pertains to electric service, rules and regulations.

WHEREAS, Section 27-49 regarding rates and charges provides that this section may be amended by the Borough Council of Weatherly Borough by Ordinance or by Resolution.

NOW THEREFORE, the Borough Council of Weatherly Borough hereby resolves as follows:

1. Section 24-9 is hereby amended as per the attached

A motion to approve the Resolution for Price Change on Electric was made by Norman Richie, seconded by Joseph Cyburt and approved by general acclaim of Council.

10. Approve Items for Sale on Municibid.

The vehicle requested to be sold on Municibid is a 2015 Dodge Ram from impound. Norman Richie asked about the Gold Ford Pickup Truck. Mr. Pudliner said he will look into it.

A motion to approve the sale of the 20215 Dodge Ram on Municibid was made by Joseph Cyburt, seconded by Norman Richie and approved by general acclaim of Council.

11. Discussion on the Non-Uniform Pension Plan (Executive Session).

A motion to enter the executive session at 6:27 pm was made by Vincent Cuddeford, seconded by Joseph Cyburt.

A motion to exit the executive session at 7:15 pm was made by Michael Bellizia and seconded by Joseph Cyburt.

OTHER ITEMS OF CONCERN:

Electric Rates:

Michael Bellizia stated that he was getting blasted about the electric rates. He said he shops for electric in Tamaqua at his office. The meter change there is \$70.00 and ours is \$8.91. Weatherly's rates are lower by 5% compared to Tamaqua rate. Joseph Cyburt said his bill went up \$19. Michael Bellizia said his water bill in Tamaqua is \$60.00.

He also stated that the residents take for granite what we have, but we do not have an ambulance and Officer Kubert had two medical calls and Eyer also a medical call. He thanked them for their service.

Weatherly Hillclimb:

Joseph Cyburt said they would like to request permission to use the trail parking lot and the borough office parking lot to take some of the pressure off of North Street for parking. They will shuttle people to the hillclimb. The hillclimb will have insurance to protect the Borough.

A motion to grant permission for the hillclimb to use both the trail and borough office parking lots was made by Michael Bellizia, seconded by Norman Richie and approved by general acclaim of Council.

Mayor's Comments:

Mayor Hadzick said he would like the two Borough employees present at the meeting to stay for the discussion in the executive session because the changes pertain to the existing plan to update the Plan at Mockenhaupt's request to bring the plan up to normal. He also said there needs to be asset smoothing to recoup the loss from COVID. We remade that plus. He would like to a 30 and out clause put in the pension plan, instead of working until 65, to be more like the police plan because they have an early out option.

Mr. Pudliner stated that the plan must be updated and they can do an evaluation.

Poles Down at Well #2 on West Main Street:

Michael Bellizia said that tensions are high in the Borough. In regards to the two poles that went down with the loss of three transformers on West Main Street, it is his understanding that it was common knowledge that the poles were bad. Vincent Cuddeford asked who takes care of the poles? Mr. Pudliner stated that he was not aware of the bad poles. Both Michael Bellizia and Vincent Cuddeford want to know who was responsible for the poles not being addressed on regular time to prevent the issue. Mayor Hadzick said the poles were rotted.

ADJOURN:

A motion to adjourn the meeting at 7:25 pm was made by Norman Richie, seconded by Joseph Cyburt.