

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
AUGUST 10, 2022
7:00 P.M.**

Opening Prayer by Councilman Joseph Dowkus
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday August 10, 2022

Roll call was taken, and the following members were present: Mayor Slaby, Stephen Bielskie, Mike Bradley, Joseph Dowkus, Marlin Hodge, Stephen Motyka and Bernard Novakoski

ABSENT: Robert Chesney

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Borough Supervisor Bruce Graff, Chief Stephen Mazzeo, Code Official Heather Owens, and Borough Secretary Rhonda Wilk

OTHERS PRESENT: Edgar Thompson, Edwin Howerter, Joseph A. Wolkowski, Tara Brokenshire, Janine Beury, Joe Cesari, Mary Kay Bartol, David Bartol and Rev. Andrew Stahmer.

OPPORTUNITY FOR CITIZENS TO BE HEARD ON ANYTHING THAT IS ON THE AGENDA:

No one spoke

PRESIDENTS REPORT – (Stephen Bielskie)

No Report

MAYORS REPORT- (Robert Slaby)

No Report

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval of the July 13, 2022, meeting minutes is needed.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Novakoski to approve the meeting minutes from July 13, 2022.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Rhonda Wilk stated under correspondence we received the following:

Correspondence was received from Shannon and John Grinaway- 7/15 and 7/18 letter
RE: noise Copy Mayor/Council/Solicitor/Police

AmTrust Insurance Co. RE: Audit – Copy Council/Mayor/Treasurer

Cory Johnson- County Consultant, Northumberland County Planning Commission -
Quarterly Monitoring Procedures beginning September 30th – Copy
Council/Mayor/Treasurer

Pennsylvania Department of Transportation – Traffic Signal Permit Revised, requiring
signature – Copy Council/Mayor/Solicitor

Kulpmont 100 – September 10, 2022, Honor the heroic acts of First Responders of
9/11/01 with 1st Responders Parade begin at 1 PM. Requesting use of the Veterans
Memorial Field area for staging fire and emergency apparatus prior to parade. Copy
Council/Mayor

Northumberland County Tax Claim Bureau – RE: distribution from 2022 Judicial Sale –
Copy Council/Mayor/Solicitor

Northumberland County Department of Economics Development & Planning RE-
building project 10 Kulp Lane – Copy Council/Mayor/Solicitor

Housing Development Corporation of Northumberland County (HDCNC) – Thank you
letter Re: donation “Fight the Blight” – Copy Council/Mayor

Coal Township Commissioners – Coal Township Recycling Center Collection
Containers, Copy Council/Mayor

A list was received from the police department concerning equipment purchases for the
police department and is also listed under Service and Facilities - \$1,700.00

Philip Belk letter – 654 Spruce Street, regarding a solicitation permit Copy
Council/Mayor

MOTION - Mr. Dowkus made the motion and was seconded by Mr. Motyka to allow the
Kulpmont 100 to stage the Fire and emergency response apparatus at the Veterans
Memorial Field.

Mayor Slaby stated he has been asked as the Mayor of Kulpmont to sign off for the permit from PennDOT to close certain side streets and stated he does not have a problem with that and asked that just be included in the motion.

There was some discussion on what Kulpmont 100 was requesting in the letter. The letter was read aloud by Rhonda Wilk. Mr. Dowkus revised his motion to allow the Kulpmont 100 permission to use the Veterans Memorial Field to for staging for the parade and to post the route no parking from noon to 4 p.m.

MOTION - Mr. Dowkus made the motion and was seconded by Mr. Motyka to allow the Kulpmont 100 to stage the Fire and emergency apparatus at the Veterans Memorial Field and to post the parade route for no parking from noon to 4 p.m.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated he would like to discuss the letter notifying the borough of a charge for Coal Township for the drop off bins at the recycle lot, adding the cost could be quite substantial and asked if we are paying anything now. Bruce Graff stated the cardboard goes every week on Tuesday and there are three bins, the mixed paper and newspaper go every other week or twice per month.

Mr. Bradley questioned if we pay anything now. Bruce replied, “no.” Mr. Dowkus stated the cost could be \$2,000.00 per month, give or take. Mr. Bradley stated our recycle program is enormous and stated they come from all over. Mr. Bradley stated if it is going to take us broke it is not worth it.

Mr. Motyka stated he is sure there are stipulations from the state to subsidize the recycle center. Mayor Slaby commented, “very well,” Mr. Motyka stated this could cost \$24,000.00 per year.

Mr. Bradley asked who is in charge of it now. Mayor Slaby responded and stated it is Tom Boyer, he replaced his son as township manager. Mr. Dowkus stated he will just call and see if we could set up a meeting with our service and facilities committee.

Mr. Motyka stated many grants come across our way and asked Rhonda to contact Mr. Delgrippe and see how he feels about this and how this all works together. Solicitor Greco reminded Mr. Dowkus to contact them before August 26th. Mr. Motyka stated he thinks the reimbursements are based on the amount you recycle and so for them to jeopardize reimbursement on charging us this \$100.00 fee.

Mr. Dowkus stated he will set a meeting and Rhonda will reach out to Mr. Delgrippe and make him aware of the situation. Mr. Niglio stated a decision is needed to be made or they will access the borough money. Mr. Dowkus stated August 26th is the cut off and so

if you all trust him to reach out and try to come to an agreement, we can then handle it at the next meeting.

Mr. Bradley stated it is not going to be beneficial and stated if we have to pay \$25,000.00 each year for recycling it is not going to net us anything. Mr. Motyka stated if we don't spend it, people are going to spend it in their own garbage bills each week.

Mr. Niglio stated Waste Management is only two miles away. Mr. Motyka stated we could always reach out to Waste Management and ask them; they get paid for the cardboard just as Coal Township does. Mr. Bradley stated we do not have the truck to move the dumpsters. Mayor Slaby stated Coal Township also makes big money on this recycling. Mayor Slaby stated they were granted funds to open that facility years ago and stated this is a win, win situation based on this for them and it is going to hurt municipalities like Kulpmont.

Mayor Slaby stated he does not have any problem with the people of Kulpmont using the bins but suggested to go up there any given day and pull some boxes out and see where these people live. Bruce Graff stated people from Coal Township use them. Mr. Bradley replied, it is easy and stated his sister comes up from Shamokin and uses them because it is easier than going to the recycle center.

Mr. Motyka stated there are stipulations attached to this both for us and Coal Township. Solicitor Greco stated if we don't come to terms, does council want to pay anything until next meeting adding we could incur several hundred dollars in fees until next meeting. Mr. Niglio stated we could put locks on for two weeks.

Solicitor stated if we don't come to terms do, we want to take them out. Mr. Dowkus stated he is going to contact them tomorrow and if we don't come to a conclusion, he stated he would tell them to come and get them until we come to an agreement. Mr. Bradley stated it would be ridiculous, we would basically be paying to haul people's trash away.

Mr. Motyka stated the recycling program is one of the better things we have going in the borough. Mr. Bradley replied, he cannot agree with that more, but we can't do it for a loss. Mr. Bielskie stated he had four or five municipalities that had to stop it because of the cost. Mr. Bielskie stated ours was going to Coal Township, but some must pay to get rid of it now.

Mr. Dowkus stated they are getting paid for it and being granted and making money off our refuge, that is our low paying fruit. Mayor Slaby stated they certainly would not be in business if it were costing the taxpayers of Coal Township money.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Bradley to continue with the Recycling pickup until next month meeting with Coal Township until next meeting.

Mr. Dowkus asked Council to check their emails tomorrow stating he will have a reply back on when we will set up a meeting with Mr. Boyer stating possible something will be figured out before September 1st.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Rhonda Wilk stated there was a late correspondence we received from Tara Stever and stated the Kulpmont Football Baseball Association would like permission to host a bonfire for the yearly homecoming festivities for the Kulpmont Cougars football team and cheerleaders. Requesting for Saturday October 15, 2022.

MOTION- Mr. Motyka made a motion to allow the bonfire.
No second on the motion

Bruce Graff stated they don't have it at the field anymore, they have been doing it at the West End. Mayor Slaby asked if the request is for the field. Bruce Graff stated it is a long story because the chain link fence that is up there, he talked to Ray Shimko about last year and told him if they take this fence down it is not going back up.

Bruce Graff stated it is all beat up, the corners are broke and so the last few years it has been at the West End. Bruce Graff stated they do two of them, one for the Cougars and one for the Halloween parade.

Mr. Motyka stated he rescinds his motion until we get more information next month. Bruce Graff stated he can get the pallets and drive the backhoe. Solicitor Greco commented with West End permission. Mr. Dowkus stated the KFBA will need to reach out to them.

TREASURERS REPORT (Paul Niglio)

Treasurer Paul Niglio stated Council received a copy of the financial statement and bills to be paid and approval is needed to pay the bills.

MOTION- Mr. Novakoski made the motion and was seconded by Mr. Dowkus to approve and pay the bills.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he is requesting an executive session at the end of the meeting to discuss litigation matters. He stated the Red X Ordinance will be addressed under Mr. Dowkus committee.

POLICE CHIEFS REPORT – (Stephen Mazzeo, Officer in Charge)

Report attached. Chief Mazzeo stated he has nothing additional.

FIRE CHIEF REPORT – (Kevin O’Hearn)

Report attached. Under comments the new squad is at Rapid 911 in Annville for lighting upgrades, plumbing changes and new letting. The new squad should be back in the station in early August. At that time, Engine 215 (Sutphen) will be taken out of service to allow for the movement of equipment over to the new squad. Four members traveled to the National Fire Academy on July 29 through July 31 to attend the PA Fire Weekend in Emmitsburg, MD. The members attended the 16-hour course of Health and Safety Program Manager. This course is meant to provide a broad prospective of all the dangers associated with Fire/EMS service and to provide insight to reduce injuries or death.

Mr. Dowkus stated he appreciates them for keeping us safe. Ray Siko questioned the Hahn that is at the West End has been taken out of service years ago and stated he is trying to find out who is maintaining that, paying the insurance and for fuel. Mr. Motyka replied it was earlier in spring we gave a three-month deadline to have both of those trucks off our insurance and stated that came and went. Mr. Motyka stated he has not been given an update from the West End on what their plan is adding he thinks they plan to donate both, but we are currently paying insurance on both trucks.

Ray Siko stated he had two complaints of the fire department out joy riding with the current gas situation. He stated that is not the fire department, that is a privately owned piece of equipment by the West End Fire Association.

Ray Siko stated if their members take it for joy rides, he wants the public to know it is on them and they are joyriding their firetruck. He stated that is a privately owned piece of equipment and stated if they take it on joy rides it is on them.

Ray Siko stated the Sutphen, engine 215 is now at the West End and the new squad is in house, some work needs to be done on the new squad and stated the guys working are working diligently. He stated with the way the world is, some things are here in six weeks and some in three months and don’t want that piece out of service.

Ray Siko stated he wanted to rectify the problem with the West End fire engine because that engine was placed out of service by our fire department for safety concerns and so if they are out riding around in it, that is on them, and he wants the public to know. He

stated the black fire truck is not owned by them or the borough and whatever they do with it they do with it.

Ray Siko stated the course they took was PTSD, suicide prevention how to respond to a crisis situation and not just physically outside but mentally pertaining to our members and stated the class was phenomenal.

Mr. Motyka asked Rhonda if she could send a letter to an official at the West End asking the status on the fire trucks, we are paying insurance on. Mr. Bielskie stated the fire truck was not joyriding, it went down and watered the garden.

Mayor Slaby stated if you put signs up on every telegraph pole in Kulpmont some people will still not understand. Mayor Slaby stated that truck has been part of Kulpmont adding he is not going to state how old he is, but longer than he has.

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Mr. Bielski stated report is attached. They issued a few permits this month.

CODE/HEALTH ENFORCEMENT OFFICER’S REPORT – (Heather Owens)

Report attached.

SERVICE AND FACILITIES – (Wm. Mike Bradley)

Mr. Bradley stated the food distribution will be held on August 18th from 8 to 11 a.m. at the borough garage.

Mr. Bradley stated the street sweeper muffler needed to be replaced at a cost of \$500.00.

Mr. Bradley stated Batteries at a cost of \$300.00 were purchased for the 2011 Dump Truck.

Mr. Bradley states there was an issue on his block where a women’s granddaughter was accidentally locked in the car. Mr. Bradley stated he called 911, Chief Mazzeo and talked to the mayor and that was when they realized they need some equipment. Mr. Bradley stated he made the purchase for that equipment and will submit a receipt for reimbursement.

Mr. Bradley stated the police department needs some equipment and stated he spoke to the Chief to put together a list of items and asked that council approve \$1700.00 to purchase some needed equipment for our department. Mr. Bradley addressed Mayor

Slaby and stated he does not want him to think he is stepping on his toes. Mayor Slaby stated he agrees with him absolutely 100% and stated he would tell him if he was out of line. Mayor Slaby stated for the record, not having the equipment is no reflection on Mr. Bradley or himself and stated the equipment wasn't here before either of them was on council, it now needs to be taken care of now. Mr. Bradley stated the items listed that were put together will bring us semi-up to date.

MOTION- Mr. Bradley made the motion and was seconded by Mr. Motyka to spend \$1700.00 on the purchase of needed equipment for our Police Department.

Mr. Slaby questions how Mr. Bradley is to be reimbursed. Solicitor Greco stated he would need to present a receipt and could then be reimbursed.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Bradley stated there was a battery purchase made in the amount of \$175.00 for the police Tahoe battery.

FINANCE/PURCHASING – (Stephen Motyka)

Mr. Motyka stated we did use pothole killers and did fill as many potholes as we could. Mr. Motyka stated we are debating on how to move forward. He stated what was approved in the spring was \$30,000 for the milling machine and water tank, so that is \$35,000.00 we may be able to hold off on because Mr. Bradley has an idea to use another piece of equipment at very little cost to the borough.

Mr. Motyka stated we discussed how we maintain the streets we have and stated if we don't seal what we have and do the best we can every year, we are going to just keep losing these streets. Mr. Motyka discussed some sort of a paving crew and stated we priced a tar buggy and broom.

Mr. Bradley stated this is a step in the right direction adding a broom could be used for numerous things. Mr. Bradley stated if we fix anything, it must be sealed. Mr. Bradley stated eventually we will have all we need to do the work ourselves and we will not need to rent anything. Mr. Bradley added and to get Bruce some help and stated this is step one in a multistep stage.

Mr. Motyka stated so even though our motion was for \$80,000.00 in April, questioned if we need a motion for this purchase. Mr. Niglio stated yes, you need an itemized motion. Mr. Motyka stated Medico is a Costar dealer and added the borough is tax exempt. Mr. Niglio stated for the tar buggy the cost is \$15,200.00 and the angle broom with the wire harness is \$10,200.00

MOTION- Mr. Motyka made the motion and was seconded by Mr. Hodge to move forward to purchase a tar buggy and broom.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Ray Siko stated he has one additional thing, the steering box that is bad on the former squad. He stated the company doing it will not do the work unless they are paid in advanced. Ray Siko stated the cost is between \$6,500.00 and \$7,500.00. Mayor Slaby stated his opinion is it is the Borough's truck we either get it fixed or let it sit. Mr. Bielskie stated if they need their payment now, just have them give us an invoice now.

MOTION- Mr. Dowkus made the motion to spend up to \$7500.00 to repair the steering box and was seconded by Mr. Bradley.

Mr. Niglio asked if that is the new engine. Mr. Dowkus replied stating it is the old red one.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated he and the committee met with the tax collector. Mr. Motyka stated personal occupation tax is based on occupation assessment and the population is about 2800 people in the borough and stated only 1600 are registered. He stated 600 of those are under 18 and don't qualify. Mr. Motyka stated 600 people in this borough are not paying, they are not paying their fair share. Mr. Motyka stated we need to really look at how to get them registered.

Mr. Niglio stated the school districts are allowed to request from the department of revenue a listing of everyone who files taxes in the school district. He stated that is the only way you could determine who is making money in the district and is earning money. Mr. Niglio stated you would manually compare the list. He stated he does not know if anything changed by years ago, he was told this information from Mr. Bush at Berkehimer. Mr. Niglio stated people come and go, you have renters who may not be on the tax rolls. Mr. Niglio said he will look into it.

Mr. Motyka stated we will look at other avenues also, many municipalities in the state pay \$52.00 annually, \$1.00 per week for people that work in the municipality. Mr. Motyka stated we do not have that.

Mr. Motyka stated as recent as 2006, 2007 the borough had borough debt of 1% millage. Mr. Motyka stated that 1% could save the property owners hundreds of thousands of dollars to pay off early. Mr. Motyka stated he does not want all the burden to fall of the people that take nice care of their property.

Mr. Motyka stated Muncy pays 100% of the occupation assessment rate, in Kulpmont it is 10% of that rate. Mr. Motyka stated we talked about 24-hour police coverage and stated the burden should fall more on the individual that lives in the borough and not just the property owner.

Mayor Slaby questioned Paul if the borough does not have an ordinance that is imposing the \$52.00. Mr. Niglio stated we receive money for people that work in the borough, \$10.00. Mayor Slaby stated he recalls a discussion when the mill was up and running, the money we could get. Mayor Slaby then stated those days are gone.

Mr. Niglio addressed Mr. Motyka and stated he has been here since 1984 and stated we never had a tax debt. Mr. Motyka stated every year we have a resolution for tax and stated some previous one with a debt tax on it. Mr. Niglio stated we never had a debt tax, not in this borough.

Mr. Motyka stated we looked at Milton and surrounding boroughs, it calls out your assessment rate on occupation. Mr. Niglio stated he understands all of that, but we never had a line item for a debt tax. Mr. Bradley stated last month he said we need to seriously discuss raising taxes.

Mr. Motyka stated we are applying for the Wood Street Grant a low volume grant and thanked Councilman Mr. Novakoski, he sat down there and counted cars. Mr. Motyka stated a \$15,000.00 grant and we match \$20,000.00 and stated we did a negotiation with Mt. Carmel Township where they would pay of the \$10,000.00 and we would pay \$10,000.00. Mr. Motyka stated the grant which is due on the 17th we need to commit to \$20,000.00 to fix that street and then we will work out the details with the Township.

Mr. Bielskie questioned what the street is going to cost us. Mr. Motyka stated the engineer stated \$50,000.00 is a good number for proper storm drainage for that one street. Mr. Motyka stated the alley would gain center drains, because it is pitched to the center it would get the water off the surface.

Mayor Slaby questioned if it will drain to Poplar Street. Mr. Motyka stated 11th and Wood Street and we also have all the other stormwater areas and be contained. Mr. Motyka stated this should be straightforward. Mr. Motyka stated we need to commit \$20,000.00 to the matching of this grant. Solicitor Greco questioned if it would be contingent upon us getting the \$10,000.00 from the Township.

Mr. Motyka stated he thinks we need to commit the \$20,000.00 either/or and then work out the details with the Township commenting he does not know how else we could do it.

Mayor Slaby stated the Township does nothing and never have done anything. Mayor Slaby stated he is telling it like it is and stated he lived there for 35 years. Mayor Slaby directed the statement to Mr. Motyka stating if it was not for him, the Kulpmont Police, Fire Department and so forth the Township would not even know that road exist. Mayor

Slaby stated there is a lot of traffic up there. Mr. Novakoski replied to Mayor Slaby and stated, "not on that street, he stated there was 20 cars that turned, they didn't come down there." Mr. Novakoski stated 3 cars came down that street the time he was there.

MOTION- Mr. Motyka made a motion to commit \$20,000.00 to the matching of Low Volume Road grant and was seconded by Mr. Dowkus.

Mayor Slaby questioned Solicitor Greco if we commit to \$20,000.00 and we don't get the grant, we don't write the check. Solicitor Greco replied, sure.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated we are working with the Township on Zoning and comprehensive plan and will team up with this and we also received research on a grant for regional police and so they are working with us, and we have a good thing going on other things.

CODE HEALTH AND SAFETY- (Marlin Hodge)

Mr. Bradley stated there is a home on Scott Street, where pigeons got in through the roof and are now living in the house. Mr. Bradley stated he has been in touch with several Amish men that are interested to get in and trap the pigeons.

Mr. Bradley stated they need to get into the house, and it is privately owned and asked the Solicitor what we do. Solicitor Greco stated we cannot give permission for someone to get into somebody else's home. Mr. Bradley stated there is a hole in the roof the size of a basketball.

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated the Red X ordinance has been advertised and this is going to cover all the condemned or unsafe properties for any of our police, EMT's or anybody to be around these buildings. Mr. Dowkus stated if they are on fire, entrapment or collapsing anything like that we are going to be able to put stipulations and make an itemized list on how to go about to remediate the whole situation.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Bradley to adopt the Red X Ordinance 2022-04.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (absent), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Dowkus stated he and Mrs. Owens have been working back and forth on some properties and have a pretty good list of which ones are at the top of the list and which we are going to be handling as the ordinance outlines. He stated currently there are 15 to 20 properties we are going to be taking care of and asked all to be patient.

GRANTS/RECREATION – (Robert Chesney)

No Report

PERSONNEL- (Joseph J. Dowkus, III)

No Report

FIRE/EMA/POLICE COMMITTEE – (Joseph J. Dowkus, III – Vice Chair)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Janine Beury 1144 Poplar Street she stated she is attached to a property at 1146 Poplar Street and stated they have not left a day. Mr. Bielskie stated they are working on that. Janine Beury stated she has no solutions to their dogs urinating all over their property every single day. She stated this is the second summer she has dealt with this.

Ms. Beury stated they play their surround sound so loud every single day that she cannot hear her own. She stated if she runs her vacuum, they bang on the wall continuously stating she calls the cops, and they are not there when she calls usually at nighttime.

Mr. Bielskie stated with the stuff that we have been doing we are going to act. Ms. Buery stated they are living in this condemned property right now.

Mr. Bielskie stated they have had time to clean it up, the smell is still there. Ms. Buery stated it is more than a smell, the hole in the front is gapping and stated she is surprised it did not cave in.

Mr. Bielskie stated the paperwork should probably be ready for that tomorrow and stated he is ready to call children and youth adding there should not be any children in there. Ms. Buery replied this has been three weeks and they are still in there.

Ms. Buery questioned if property owners must have fire insurance. Solicitor Greco replied if they are renting out the property or pay mortgages. Ms. Buery questioned if they are fined after 10 days if they get fined again and again. Heather Owens the code officer replied they are fined again but it is never 10 days because she stated she does not concentrate on that specific situation. Heather Owens stated she repeats with the first violation and then again.

Ms. Buery stated so with the noise ordinance and her quality of life, they are devaluing her property and..... Heather Owens stated as far as the noise ordinance, she does not work at night. Ms. Buery stated the noise and surround sound is all day and her wall shakes and is curious if they keep repeating. Mr. Bielskie stated last year he was

supposed to take care of the urinating problem and he ended up in jail. Ms. Buery stated she cannot even walk on her own sidewalk because she is taking that then all into her house (as she shows a picture). She stated they are breeding dogs and there are about 6 dogs in the house right now. Mr. Bielskie stated there are 6 dogs in that house we verified that, 4 puppies and 2 dogs.

Mr. Bielskie stated she will see action this week on it. Mr. Dowkus added action is already in motion and documented, with the Red X program being passed... Ms. Buery questioned what exactly that will do. Mr. Dowkus stated for properties condemned and unsafe for habitation, it is protecting everyone involved. Mr. Dowkus stated it is slow coming because everything has been neglected over the past 9 or 11 years and stated we are on the mark to get this stuff nailed down. Ms. Buery stated the property they came from before there are cars all over the property down along the Township, there are multiple.

Tara Brokenshire of 1140 Poplar Street Kulpmont stated to piggyback on what Janine was saying. She stated when this all started about three weeks ago, she never had a problem with mice or rats and has been here for four years and now could show the damage done by rats trying to chew through and get into.

Ms. Brokenshire stated she is a mandatory reported and stated there is a child in that home that she was told children and youth was going to be contacted and so she stepped back. Mr. Bielskie stated he gave them time. Ms. Brokenshire stated had she known they were going to be given time, she would have called children and youth herself. She stated the child should not be in that house, it is a bad situation there.

Mr. Bielskie stated they just went through one in the borough, the house was a dump and a fire hazard and children and youth would not take them, he stated he had to push for them to take them out. Mr. Bielskie stated there is a procedure. Ms. Brokenshire stated she talked to them and was told they were going to be out of the house by Monday and so she thought okay, there is something going on. Mr. Bielskie stated they posted the house on a Friday, and he took the signs down. He stated Monday they went back and told them if he takes them down, he will be arrested.

Mr. Bielskie stated he was given a week to get it cleaned up and stated he then happened to have some medical problems. Ms. Buery questioned if they will be made to put up a fence. Mr. Bielskie stated their dogs are probably going to be gone from there because we are going to close it down. Mr. Bielskie stated last year he was going to put up 6 ft. high fences up.

Ms. Buery stated she has seen fences up at the other property that he owns and stated she was excited and tries to find decency in him, but she does not find much. Mr. Bielskie stated they are taking care of it. Ms. Buery questioned how they could get an update on the situation. She was told to contact the code office for updates.

Mr. Motyka questioned Chief Mazzeo when a criminal code could be used against these people. Chief Mazzeo stated when they fail to comply to codes. Ms. Buery stated they are ignoring them. Mr. Bielskie stated they have public nuisance in the property maintenance ordinance.

Ms. Buery asked if she could call the cops when he is pounding on her wall when she is vacuuming. Chief Mazzeo stated he could try to talk to them if they are doing it before 10 pm. Chief Mazzeo stated he can come, but if he does not answer the door, he can't cite him because he does not know whose music it is. Ms. Buery questioned if he can come into her house to hear it. Chief Mazzeo stated he could but still, who does he cite in front of the Judge. Chief Mazzeo stated adult probation was there today and stated which ever one that is on probation would need a home plan and if the house is condemned, they need a new home plan.

Mr. Dowkus stated the police regionalization grant meeting is on the 24th at 5 pm at the Mt. Carmel municipal building. Mr. Bielskie stated he would like the mayor to sit in on that.

Mary Kay Bartol stated she would like to thank all the council, Mayor Slaby, officers, and the fire department for their cooperation for the Holy Angels picnic. Ms. Bartol stated she ran into a situation today very similar to the condemned properties and questioned if there is an ordinance that if water has been turned off in a home if the building is then condemned.

Mr. Bielskie replied to it would be uninhabitable. Ms. Bartol questioned if that is enforced. Mr. Bielskie stated if we don't know we don't enforce it. Heather Owens stated she finds out through Trish or by accident will fall onto that and then looks to verify. She stated, she will post the property and those people just stay in their house.

Heather Owens stated this was her problem when the Red X program started, she stated they post properties and they stay in them, cops knock on the door, and they don't answer. Heather Owens stated they stay in their homes and said she sends fines, and they get sent back to her. Heather Owens stated we have a house in the borough on Chestnut Street with no water and no sewer for three years and the guy is still living there and now there is a couch on his porch. Heather Owens stated she sends fines, and they then get sent back to her.

Ms. Bartol asked how we are going to enforce this, because we are looking to clean up this borough and get good quality citizens here. She stated if we are not enforcing something like this.... Those are the people not paying their water bills and getting their water shut off. Mr. Bielskie stated when we find out we post them uninhabitable. Ms. Bartol replied, "but they are still here." Ms. Bartol stated right now she is fearing for her life because of an incident today. Mr. Dowkus directed Ms. Bartol to contact officer Mazzeo. Ms. Buery stated she did talk to him and then questioned council if we have any cops on at night. Mayor Slaby replied, "I can't tell you that."

Joe Cesari from Kulpmont asked for Council to give some consideration to the renaming of the playground at the Stadium Complex. He stated in 2012 he moved back here from Ashland and was looking for a safe playground for his grandchildren to play when they visited. Mr. Cesari stated the playgrounds were deplorable and dangerous. He stated he mentioned this to the Kulpmont Cruise Association and asked them if they were game to construct a modern playground and they were.

Mr. Cesari stated they went to a council meeting and at that time they asked what they could do and how they could do this. Joe Cesari stated Myron Turlis was the mayor at that time and they gave permission for them to check the plans out and then decided the best location was the area inside the stadium because it was already fenced in.

Joe Cesari stated with Council's blessing and with the help of Myron Turlis, Stephen Motyka and Clarence Deitrick the plan was put into motion. He stated we were successful in obtaining a state grant with matching funds, which was called "in kind funds," and it did not cost the borough hardly any money.

Joe Cesari stated our organization was successful in getting a Degenstein Grant to support the project and thanks to many Unions and volunteers this labor of love became a reality. Joe Cesari stated today thousands of youngsters use that playground and stated the Kulpmont Cruise Association continue to help maintain that playground.

Joe Cesari stated every year before the winter sets in he goes up and paints the metal on the equipment and fence, anything that is rusted. Joe Cesari stated they also pull the weeds and do what they can do to keep the playground safe. Joe Cesari stated Nolans Lumber Company was the one that donated the fence that goes around to make it doubly safe for our kids. He continued to say in the spring they clean it up and refurbish the mulch to keep it safe.

Joe Cesari stated he congratulates the kids and the parents stating the ribbon was cut on that playground on June 12th of 2013 and there has been very little damage. He stated he is asking Council to consider renaming the playground The Kulpmont Cruise Association Playground. He stated there will be no expense to the taxpayers of the borough all cost incurred will be the responsibility of The Kulpmont Cruise Association.

Mayor Slaby questioned if this is just the playground. Mr. Cesari stated just the playground. Mr. Bradley stated there is nobody's name on it now. Mr. Cesari stated there is a sign the Terry Miriello Playground. Mr. Paul Niglio stated it was Terry Miriello Field before the playground. Joe Cesari stated the Field is Terry Miriello, the playground is also Terry Miriello.

MOTION- Mr. Motyka stated he makes a motion to recognize all the contributions the Kulpmont Car Cruise Association did and to put their name on the playground.

Mr. Bielski stated we need to investigate it and see what is. Joe Cesari questioned if this needs to be discussed at an executive session. Solicitor Grecco replied, "not necessarily,

but just look into it.” Mayor Slaby stated when he was Mayor the first time there was a big to do up at the stadium, the Terry Miriello Stadium. Joe Cesari stated playground, he is not talking stadium. Mayor Slaby stated we did not have a playground then and stated when he was gone for 10 years you guys did that playground and stated it is a beautiful playground for the kids. Mr. Motyka stated he rescinds his motion until the next meeting. Mr. Bielskie stated Service and Facilities committee will investigate it.

Mr. Joseph Wolkowski stated in reference to storm management a storm drain is needed on South 10th Street. Mr. Motyka stated that street is on the agenda for the \$600,000.00 project. Mr. Wolkowski stated he is getting a lot of water in the basement. Mr. Motyka stated he will make sure the engineer knows that.

Mr. Edgar Thompson of 500 Chestnut Street and resided there for the last 35 years. He stated he has always paid his taxes on time, donated to local charities, donated countless hours to football and wrestling and supported local fire departments. Mr. Thompson stated he has always taken pride in his property he has not been a burden to his community or a nuisance to his neighbors. He stated he has and will stand up for what is right and that is why he is here tonight.

Mr. Thompson stated on May 21st, 2022, a vehicle ran into the front of his house and left a hole in the cinderblock wall 8’ x 4’ and stated he was not home at the time. Mr. Thompson stated no one from the borough bothered to call him and tell him this happened or hang a piece of plastic to protect his property and belongings, or to call DEP and inform them that the fluids from the vehicle drained into the storm drain.

Mr. Thompson stated the code officer never came by to see if there was any structural damage or to verify if there was a safety hazard and stated that is part of her job description, which he obtained through a Right to Know request on July 22, 2022. He stated on July 7th, the minute the repair of his house began the code enforcement officer decides to call and say he needs a permit, there was no interest prior.

Mr. Thompson stated he came to the borough and questioned why he needs a permit and she showed him the ordinance. Mr. Thompson stated he informed her he was not building or constructing anything and that he was repairing the damage the borough had no interest in for the last two months. Mr. Thompson stated she then told him she was trying to be nice and if he didn’t get a permit, she would fine him \$250.00.

Mr. Thompson stated he will not be intimidated or threatened to get a permit that is not required, he stated there is International Residential Code 2018 of PA R102.4.1 conflicts is clear that if conflicts of codes exist the provisions of this code apply, which says you do not need a permit for repair. Mr. Thompson stated this takes him to R105.2.2 which clearly states that application to building official is not required for ordinary repairs to structures, clearly a permit is not needed.

Mr. Thompson stated on July 15th he received a citation in the mail which resulted in him writing the following letter:

Dear Ms. Owens,

Please receive this timely correspondence in response to your erroneous citation. As stated, prior there was no construction performed at the addresses you list on your erroneous citation. (A vehicle struck the property while I was away it took down the stop sign located at 5th and Chestnut and left a hole in the wall. No one from your office or the Borough even had the decency to contact me to say hey there is a hole in your wall and your property is exposed to theft, rodents, and weather no one from your office or the Borough even attempted to hang a piece of plastic to at least provide a little protection. But the day the REPAIR started in your very own words “you were trying to be nice” by calling me to tell me I needed a permit. I will state it once again the wall was repaired, and no construction occurred.

I am deeply disturbed by the fact that you would issue a citation on the 7th and not place it in the mail until the 12th the post office is less than 2 blocks away. In addition, there are no instructions to plead not guilty so please provide. Kulpmont Borough is located in the United States of America where a man is innocent until proven guilty, and you offered no proof.

I have enclosed copies of the citation and envelope that you forgot to mail and also, the definitions of construction and repair and lastly the copy of ordinance 2015-03 which you provided, and it clearly states any construction. I eagerly await your response.

Very truly yours,
Edgar H. Thompson

Mr. Thompson stated until this day he has not received a response to this letter. Mr. Thompson stated while picking up multiple Right to Know request he inquired about the letter and was told the citation would be turned over to the magistrate and stated he does not know how a timely request could be ignored. He stated he has no problem requesting the information through the Right to Know act and stated, “you will get that tomorrow.”

Mr. Bielskie responded to Mr. Thompson stating he is the building inspector and stated nobody came to him for a building permit for that project and that is construction. Mr. Thompson replied, “that is not construction, it is a repair.”

Mr. Bielskie responded saying he does not know where he is getting his information from, we use the UCC and it states and it is required.

Mr. Bielskie stated the UCC states anyone that plans to repair, or construct needs a permit. Mr. Bielskie stated our Borough ordinance states the construction, repair requires a borough permit.

Mr. Bielskie stated he is a Master Code Inspector and stated he goes through this all the time and stated she did not do anything wrong and is just doing her job and that is construction. Mr. Thompson stated, “well, I disagree.”

Mr. Bielskie stated Council will now meet in executive session to discuss litigation matters.

Solicitor Greco stated Council met in executive session to discuss litigation matters for approximately 30 minutes.

OLD BUSINESS-

None

NEW BUSINESS-

None

ANNOUNCEMENTS

The next regular monthly meeting will be held on September 14, 2022.

ADJOURNMENT

The August 10, 2022, meeting was adjourned at the call of the Chair

**Rhonda Wilk
Borough Secretary**

Approval date September 14, 2022