

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
DECEMBER 11, 2019
7:00 P.M.**

Opening Prayer by Councilman Robert Slaby
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday December 11, 2019

Roll call was taken and the following members were present: Mayor Bozza, Stephen Bielskie, Robert Chesney, Robert Fanella, George Malakoski, Michael Sinopoli, Robert Slaby and Walter Lutz

ABSENT: none

APPOINTED OFFICIALS PRESENT: Solicitor, Edward Greco and Treasurer, Paul A. Niglio, Jr.

PRESENT: Officer Stephen Mazzeo, Secretary Rhonda Wilk, Code Officer Heather Owens and Street Supervisor Bruce Graff

OTHERS PRESENT: Joe politza, James Cipriani, Barry Fetterman, Rose Bielskie, Hope Masser, Corine Klose, Mary Sue Mirarck, Joseph Mirarch, Stephen Motyka, Joseph Dowkus, II, Russ Moroz, Edwin Howerter

Mr. Lutz stated at this time he is going to ask for a motion to adopt resolution #749 for the Kulpmont Cougar Flag Football team.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Slaby to adopt resolution 749 for the Kulpmont Cougar Flag Football team on their successful season.

VOICE VOTE –

Unanimous

Mr. Lutz read resolution #749 on the Kulpmont Cougar Flag Teams successful season and asked for the Team and Coaches to come forward to accept this resolution and again congratulated the Cougars on their season.

Mr. Lutz asked for Brayden Mirarck to come forward from the “B” Team Cougars Football Team and congratulated him on his great season. Mr. Lutz continued to say at the meeting last month Brayden’s name was missed. Mr. Lutz thanked him, congratulated him and apologized for missing him name at last months meeting.

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

Mr. Stephen Motyka stated concerning Mr. Bielskie's request to provide information, he dropped of a 13 page packet off and asked for it to be distributed as correspondence to each member of council and then questioned why it was not distributed. Mr. Lutz asked if there is anything else.

Mr. Motyka replied yes and continued to say he has been sending emails for two years on grants and commented that he thinks they should be considered correspondence and should have been distributed. He stated there was information on growing greener and stated he does not think a lot of the council has seen those grants. Mr. Lutz asked if there was anything else. Mr. Motyka replied "no."

PRESIDENTS REPORT – (Walter Lutz)

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Mr. Lutz stated we will need to advertise for the reorganization meeting to be held on Monday January 6, 2020 at 7:00 p.m. and for the first regular monthly meeting in January 2020.

MOTION – Mr. Bielskie made the motion and was seconded by Mr. Sinopoli to advertise for a re-organization meeting to be held on January 6' 2020 at 7:00 p.m.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Lutz stated approval is needed to sign the engagement letter with Klacik & Associates for the 2019 Audit. Mr. Lutz stated per the requirements of the USDA loan on this building we will need an audit now. Mr. Lutz stated it is \$8,500.00 and we will need a motion approving the audit.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Fanella to approve signing the engagement letter with Klacik and Associates for the 2019 audit.

Mr. Chesney stated just so the taxpayers know, the loan was taken out and one of the stipulations because it is USDA you must have this audit done. Mr. Chesney continued to state it is close to \$8,500.00 per year for 40 years and that means we are paying them \$340,000.00 for the approval of having this loan.

Mayor Bozza questioned if the loan gets paid off, will we have to do this. Mr. Lutz replied no.

Treasurer Niglio commented Council signed a contract with Klacik Associates and you get to re- bid this all of the time, it is a four-year contract and so the next time it should not be \$8,500.00. Mr. Lutz then stated \$8,500.00 for 40 years that comes up to

\$340,000.00 and if you use a very minor interest rate of 2.5% that comes up to \$550,000.00 over a 40-year period.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (no), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (no)
6 YEAS – 2 NAYS

MAYORS REPORT- (Nicholas Bozza).

Mayor Bozza stated on the first snowfall, he was getting phone calls for people throwing snow into the street. Mr. Bielskie stated we have an ordinance for that and so we could fine for that. Mayor Bozza asked The News Item to put that in the paper, you may be fined for throwing snow into the street. Mayor Bozza stated this causes a problem for the street department.

Mayor Bozza stated on the Pollination Garden, he and Mr. Motyka have met with Chantel with the conservation district and she is applying for an educational grant. Mayor Bozza stated they are going to get a lot of kids involved with this from the School, Vo-Tech, Lourdes kids adding this will be big. Mayor Bozza continued to say they are meeting with the master gardner of the County for location adding things are progressing.

Mayor Bozza stated the sign at the Lamplight Acres has been lame for the last 40 years and state a new sign has been installed. Mayor Bozza thanked the Kulpmont 100 along with the Kulpmont Street Department and Mr. Fanella. Mayor Bozza added they did a great job adding the sign was much needed. Mayor Bozza thanked them for the much-needed sign at Lamplight Acres.

Mayor Bozza stated the Santa Sleigh will be at Town Park next Wednesday at 6:30 p.m. and invited all to come out adding along with Santa there will be animals there. Mayor Bozza stated the Kulpmont 100 and the Sportsman's Association does a great job with that. Mr. Fanella questioned if we will need to store the Santa Sleigh the night before again. Mayor Bozza replied he will need to talk to Jeff Gilotti, he would have the information on that.

Mayor Bozza stated he was absent from last months meeting but understands there has been some concern that he does not enforce the laws through our officers. Mayor Bozza stated that is a lie.

Mayor Bozza questioned Officer Mazzeo if he has ever told him, the Chief or any officer to not enforce any of the laws. Officer Mazzeo replied "no." Mayor Bozza commented he would never do that.

Mayor Bozza stated he does not agree with getting a ticket for parking behind your own garage. Mayor Bozza stated if there is an officer going through town and he sees a car parked behind a garage and wants to ticket them, that is their prerogative. Mayor Bozza stated if there is a call on a complaint on someone blocking their driveway and can't get

out, ticket them. Mayor Bozza stated he himself called numerous times because of cars parked out in the middle of the road. Mayor Bozza stated he does not follow the police, adding they know the law better than him and stated he puts his trust in them adding they do a great job.

Mr. Bielskie commented that the Code officer has directions if only she gets a complaint to issue a citation. Mayor Bozza stated parking is tight on some of the streets and in some cases, they need that parking behind their garages. Mr. Lutz stated we are trying to be very reasonable.

Mayor Bozza stated the crime watch will not meet until February, it depends on the weather for January, but we are looking to next meet in February.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the November 13th regular monthly meeting minutes.

MOTION- Mr. Malakoski made the motion and was seconded by Mr. Chesney to approve the meeting minutes from the November 13, 2019 regular meeting minutes.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Rhonda Wilk stated the 2020 Tax Ordinance has been advertised adding the 2020 Tentative Budget has been advertised after last month's meeting.

Rhonda Wilk stated correspondence was received from PSAB on membership training and was copied to both Mayor and Council.

Correspondence from ARRO Engineering Firm was received and copied to both Mayor and Council

A letter from Mr. Steve Reiner was received and copied to both Mayor and Council.

TREASURERS REPORT – (Paul A. Niglio)

Mr. Niglio stated Council received a copy of the Financial statement and bills to be paid a motion is needed to approve and pay the bills.

MOTION- Mr. Malakoski made the motion and was seconded by Mr. Chesney to approve the financial statement and bills to be paid.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Niglio stated the 2020 tentative budget has been advertised and stated a motion is needed to pass the 2020 budget as final. Mr. Niglio stated nothing has happened in the past month to warrant any changes and stated so he is recommending adopting the 2020 budget which is the same as the tentative budget as final. He added it is a good document to work off and stated a budget is the framework to give to the people so they know what the money will be spent on adding there are changes that could happen over the course of the year.

MOTION- Mr. Slaby made the motion and was seconded by Mr. Bielskie to adopt the 2020 budget as final.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Niglio stated we need a motion to approve the tax ordinance which was advertised and is the same as last year.

MOTION – Mr. Chesney made the motion and was seconded by Mr. Slaby to approve the tax ordinance for 2020.

Mr. Lutz stated it is the same it has been for 3, 4 or 5 years.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Chesney questioned Mr. Niglio about last years General Fund budget, stating the amount was \$844,880.00 and asked how close we were to that, going over or under. Mr. Chesney questioned how close we were to that projection asking if we are always pretty close to that. Mr. Niglio answered yes and no stating we did not have a full staff of police officers and municipal employees, we were definitely way under.

Mr. Chesney stated all the budget is just a plan what monies will be going in and what monies will be going out. Mr. Chesney stated it is not etched in stone and if we have any more collapses of our streets that could change significantly because that money is not in the budget and any one of those subsidence's cost \$20,000.00 to \$50,000.00 to fix, some of it is there but just so you understand that.

Mr. Chesney stated a few years ago they raised the mileage to 17 mills, which was once at 14 stating that was to help with that loan that we were just previously not real happy

about. Mr. Chesney again stated so everyone understands the budget is just a plan based on employment, events and stuff like that.

Mr. Lutz questioned if the November profit and loss is copied in for the citizens. Mr. Niglio replied “no.” Mr. Lutz stated it is very complicated in November we had a negative \$100,000.00 and if you look at that you’re like whoa, because its complicated. Mr. Lutz stated you must look at the whole year and see what is in there. He stated the way government accounting is done is its cash and so when cash goes out, it goes ahead and hits the statements and a lot of other things and what you really need to do is look at it year to date.

Mr. Lutz stated at the beginning of the year we were projecting a deficit of \$65,000.00 but as Mr. Niglio stated, you add to staff and a couple holes open up and before you know it.... last year we had \$50,000.00 up to the whole year and this year we are in the negative numbers and that is what happens when you start to put staff on that is what happens. Mr. Lutz stated we started the year with a good balance in the checking account adding in the future we just need to be very careful.

Mr. Chesney stated at the last meeting with the tentative budget there would be not tax increase, and none would be anticipated and so we hope to hold that excluding nothing major would fall out of the sky or into the earth, just so everyone is clear.

SOLICITORS REPORT- (Edward Greco)

No Report

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

Mr. Chesney stated contrary to some outside voices that have been stating some statements, we did look into that 24-hour coverage when we came into office two years ago. Mr. Chesney stated that whole thing was premised on the fact that we would possibly go with Mt. Carmel Township. Mr. Chesney stated for over a year that was negotiated back and forth through phone calls and meetings etc..... Mr. Chesney added when we though we had come to a conclusion that both sides were extremely happy with they backed out of that deal, their supervisors failed to pass it at their meeting.

Mr. Chesney stated as the Mayor said, we have three full time officers and we are trying to work with that. He added he does not know if we ever had three full time officers over the past 20, 30 years. Mr. Chesney stated we are trying to work with that. Mr. Chesney stated with those three officers that is eating up anywhere between 60 to 70% of the budget and as far as adding to that at this time, that is going to take a very, very, crucial look. Mr. Chesney stated it is going to take a lot of thinking because we do not want to move those taxes. Mr. Chesney stated the work our officers are doing is very good but

as the most conservative guy up here he stated he does not know how we could afford more police officers.

FIRE CHIEF REPORT – (Raymond Siko)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

No Report

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

Report Attachment #4

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated the food surplus will be held on December 19th from 8 a.m. until 12 noon at the Borough Garage.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to purchase 4 cutting edges at a cost of \$864.00

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Fanella stated there was an emergency purchase for a battery for the police car from West End Auto in the amount of \$137.00

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to pay the bill to West End Auto in the amount of \$137.00.

ROLL CALL VOTE- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes), SLABY (yes)
7 YEAS – 0 NAYS

Mr. Fanella stated that Rhonda submitted for a reimbursement through the grant for the paving of the lot.

Mr. Fanella stated people are beginning to use the lot for parking some during the evening and some daytime parking. Mr. Fanella stated he wanted to bring it to

everyone's attention and questioned councilmembers on how they want to act on that. The Solicitor stated there could be some liability issues. Mr. Lutz stated not only that, but what happens is before you know it you will have 27 people parking there. Mr. Lutz stated he is not sure that the Borough has any obligation to provide an off-street parking and stated he thinks we should send everybody a letter. Mr. Lutz stated there is all kinds of parking around there. Mr. Lutz stated we sent out a letter concerning the parking down where the Powell building was, and it appears everything is alright.

Mr. Slaby suggested we post it for no parking. Mr. Lutz stated at the recycling center it is a liability and we have those containers that need to be moved around. The Solicitor questioned if it will be posted and stated if we do not have the signs, a motion may be needed to purchase signs. Mr. Lutz stated we will post it and send a letter.

Mr. Slaby questioned Bruce Graff if we have signs. Bruce Graff replied we have some. Mr. Chesney suggested to post borough vehicles only. Bruce Graff stated we have one or two. Bruce Graff stated most of the parking is from the building behind us. Mr. Lutz stated there is plenty of parking around there. Mr. Fanella stated the alley is tight for parking.

Mayor Bozza stated his opinion is during the day if it is not a problem letting them people park there. Mr. Lutz stated we will have a liability issue if one of those dumpster plows into one of the cars. Mr. Lutz stated we should take a look at it. Mayor Bozza commented park at your own risk. The Solicitor replied you will still have a liability issue. Mr. Fanella stated against the wall may be alright, depending on where because the corner is where they plow the snow pile and then stated we will go up and take a look at it and make a recommendation.

FINANCE/PURCHASING– (Robert Slaby)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

Mr. Bielskie requested a five- or ten-minute executive session at the end of the meeting.

ORDINANCE COMMITTEE - (George Malakoski)

No Report

GRANTS/RECREATION – (Walter Lutz)

No Report

PERSONNEL- (Michael Sinopoli)

No Report

FIRE/EMA/POLICE COMMITTEE – (Chesney, Sinopoli and Fanella)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Jim Cipriani questioned what the status report on the situation of his neighbor that has got the junk yard. Mr. Bielskie stated it is posted as uninhabitable and they are not to be in there. Mr. Bielskie added there is no sewer and water, they can't be in there, we need to let the police know because they cannot be in there.

Mayor Bozza questioned the Solicitor if we know he is in there can we bust that door down and go in to get him. Solicitor Greco replied he would prefer not. Officer Mazzeo stated unless there is a safety issue or a search warrant, he is not breaking doors down.

Mr. Lutz stated to Officer Mazzeo if he sees him rolling in big logs and goes in there if he will go arrest him. Mr. Bielskie stated before he was not able to be there in the evening only during the day if he was doing work. Mr. Bielskie stated the home is now uninhabitable because there are not utilities.

Mr. Bielskie stated his concern is burning the wood, if there is a fire, he will burn the whole block down. Mr. Lutz stated he and Mrs. Owens see him taking in water and wood in. Mayor Bozza questioned who owns the building. Mr. Lutz replied "him." Mr. Lutz added he owns another property on Scott Street. Officer Mazzeo stated if he is in there, he will arrest him for trespassing.

Mr. Lutz stated if we are diligent, he is out a lot to bring in water and wood. Mayor Bozza stated if you see someone there call the police department, if nobody answers leave a message.

Mr. Dowkus of 1135 Poplar Street questioned how it went with the basketball court and questioned if we were going to try and go forward with the skating rink or anything up there this year. Mr. Fanella replied that is the Kulpmont 100 project and Tommy leading that project has a big job and stated he does not think they will get it done this year. Mr. Lutz stated we are disappointed and looking to make that nice.

OLD BUSINESS –

Mary Sue Mirarck of 1115 Poplar Street stated she is trying to find out if there has been any success on the 900-block demolition of Scott Street. Mr. Lutz replied no and stated he ignores us and so we will go the next step. Mr. Lutz stated tomorrow he is going to send a letter from the Kulpmont Borough Council to the bonding company saying we would like to evoke the bond. Mr. Bielskie stated there is also another insurance policy. Mr. Lutz stated we have a big problem down there is a hole down there. Mr. Lutz stated

he will have the letter drafted tomorrow morning and stated we are also getting ready to send a letter to DEP on where are the receipts for throwing all that stuff away, we have \$300.00 or \$400.00 of citations against him. Mr. Lutz stated it is going to be a deal. Mr. Bielskie stated he caused a public nuisance and questioned if he could be arrested. Mr. Lutz replied we will look at that tomorrow adding that is the unhealthiest situation. Mayor Bozza stated he noticed a line painted now and questioned if that is a survey line. Mrs. Mirarck replied that is his property line, in his mind.

Mrs. Mirarck stated she saw two girls walk out the front door of that place and said you know that they are in there when there is smoke coming out of the smoke stack.

She stated she would like to question concerning the no parking sign on 11th Street. Mr. Lutz stated people are parking on the west side of that street. Ms. Mirarck stated since they put the caution tape their property line comes right on the macadam adding it is hard, the plow trucks are going to be hitting their cars. The Solicitor stated you can't just put a sign up, you need to do a traffic study. It was discussed and the Mayor and Mr. Lutz agreed to take a look at it.

Mr. Chesney stated two citizens did approach him and thanked Council for getting those two alley ways paved which were in dire need of paving for years. He stated both of those people were extremely pleased with the results and now citizens on both sides of that alleyway can use that thoroughfare and anyone coming through town. Mr. Chesney stated he is just glad that we found the means to take care of it because it was like going through a land mine field. Mr. Chesney stated they are very pleased to have it done and certainly we are out here to try and please the citizens as much as we can. Mr. Chesney stated as he said that is being used by all citizens and anyone coming through town, the roadways are fixed.

NEW BUSINESS-

None

ANNOUNCEMENTS

Mr. Lutz stated in reference to Mr. Motyka's questions, he will dig out that packet of information and make sure it is in everyone's box by 9:00 a.m.

Mr. Chesney stated he hopes everyone had a blessed Thanksgiving and wishes everyone a Merry Christmas and Happy and Blessed New Year that is coming up.

Mr. Chesney stated at this time he would like to thank Mr. Malakoski for all of his years of working for the borough and then serving on council.

Mr. Chesney thanked Mr. Lutz for everything that he has done and over his term has probably put in more time than any councilperson has ever put in. Mr. Chesney stated Mr. Lutz put in five, six hours a day minimum not only sitting in the office helping us

with setting up the quick books and also working with Russ and walking and driving and putting some teeth into our ordinances and code. Mr. Chesney stated if it were not for his persistence, we would still be in the same haphazard position we have always been in fining and citing. Mr. Chesney stated now people are starting to see what they have to do and what their responsibilities are. Mr. Chesney thanked both Mr. Malakoski and Mr., Lutz for their years of service.

ADJOURNMENT

**THE DECEMBER 11, 2019 MEETING WAS ADJOURNED AT THE CALL OF
THE CHAIR**

**Rhonda Wilk
Borough Secretary**

Date of Approval _____