

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
February 10, 2021
7:00 P.M.**

Opening Prayer by Councilman Robert Chesney
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday February 10, 2021

Roll call was taken, and the following members were present: Mayor Bozza, Stephen Bielskie, Robert Chesney, Joseph Dowkus, Robert Fanella, Stephen Motyka, Michael Sinopoli and Robert M. Slaby

ABSENT: Treasurer Paul Niglio

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Borough Secretary Rhonda Wilk, and Code Official Heather Owens.

OTHERS PRESENT: Helen Stone

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

Mr. Slaby stated at this time anyone that would like to be heard on anything that is on the agenda to please type your name, address and your comment or question.

No one spoke.

PRESIDENTS REPORT – (Robert M. Slaby)

No Report

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated he would like to address the bill received by Officer Bregensir for COVID-19 testing and stated according to him his insurance is not covering the bill. Mayor Bozza stated he suggest we pay it. Mayor Bozza stated he is the one that requested him to go get tested and stated if council remembers at that time everyone was getting tested.

Mayor Bozza stated Mr. Chesney spoke with the hospital and they should be taking care of that bill. Mr. Slaby stated it is his understanding from Mr. Jeffries, Northumberland County EMA Coordinator that the first responders should not be liable for these tests. Mr. Slaby stated he does not know if council has any additional input. Mr. Chesney stated the bill is \$486.00 and will check back with Mr. Jeffries.

Mr. Chesney asked to hold off on paying the bill for a week so that we may check into it. Mr. Chesney stated if after checking into this and it is found he is liable to pay this bill, then we pay it.

Mr. Slaby stated if we have a copy of the bill, he will deal with it and speak to the billing or collections department and will look into this matter.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to pay the hospital bill of Gary Bregensir for COVID-19 Test if found liable to pay the amount due.

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

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the regular meeting minutes from January 13, 2021.

MOTION – A motion by Mr. Bielskie and seconded by Mr. Sinopoli to approve the January 13, 2021 regular meeting minutes.

VOICE VOTE –

Unanimous

Correspondence was received from the following and Copied to both Mayor and Council.

Rhonda Wilk stated correspondence was received from Kulpmont 100, a donation solicitation and that was copied to the Mayor and Council.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Dowkus to send a \$100.00 donation to the Kulpmont 100.

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

Northumberland County Elections & Voter Registration sent a letter with upcoming 2021 election dates, the primary election will be held on May 18, 2021 and the general election on November 2, 2021. They are asking if we are unable to host the machines for the voters in the May primary as normal to respond to this letter.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Bielskie to allow the county to set up and continue holding the voting location at Borough Hall.

VOICE VOTE-

Unanimous

Rhonda Wilk stated the Northumberland County Council for the Arts-Membership/Donation and was copied to the Mayor and Council.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Sinopoli to remain a member of the Northumberland County Council for the Arts and to pay \$50.00.

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

TREASURERS REPORT – (Paul A. Niglio)

Mr. Slaby stated Mr. Niglio was unable to attend the meeting this evening.

Rhona Wilk stated Council received a copy of the financial statement and bills to be paid and stated a motion is needed to approve and pay the bills.

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

Mr. Chesney stated he will abstain for any motion because he does have some questions for the treasurer.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (abstain), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)
6 YEAS – 0 NAYS – 1 ABSTAIN

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated the Ordinance for the Tax Collector will be addressed under the Ordinance Committee.

Solicitor Greco stated he sent out the request for bids for the three parcels to Rhonda and asked that she email those to everyone and asked if there were any questions. Solicitor Greco stated the advertisement is prepared for the sale of 3 parcels with a minimum bid price of \$12,000.00 on each lot, requesting the purchase price be paid within 14 days of bid acceptance, the winning bidder is expected to pay all transfer taxes, fees and deed and recording costs to transfer the parcels. Solicitor Greco stated bids should be submitted individually and the Borough reserves the right to accept or reject all bids.

Solicitor Greco stated the date and time will need to be decided by Council. It was decided sealed bids should be received by 3:00 p.m. the day of the meeting, March 10, 2021.

Solicitor Greco stated a motion to advertise for the solicitation of bids will be required.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to advertise the sale of properties on Chestnut Street and to advertise for sealed bids as discussed.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)

7 YEAS – 0 NAYS

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to purchase 3 signs to identify Lot 1, 2 and 3 for sale by bid and include Kulpmont Borough phone number not to exceed \$300.00 for all three signs.

A short discussion took place on the signs by council concerning the size and placement.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)

7 YEAS – 0 NAYS

Solicitor Greco directed Rhonda Wilk to provide a copy of the advertisement to anyone inquiring on the sale of the lots by sealed bids.

Mr. Slaby directed the statement to Mr. Motyka stating any for sale signs for these lots must also display “by sealed bid.” Mr. Motyka confirmed and agreed.

Mr. Chesney stated just to reiterate, we do need to pay the County back \$11,594.00 to the County for the demolition. Mr. Chesney stated the sale of the lots minus the \$11,594.00 will then give us any profit if we are successful at selling the lots. Solicitor Greco added that will only apply to parcel #2 and #3, not to parcel #1, just a clarification.

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Mr. Bielskie stated the gas station at the end of Kulpmont has a few things to finish and stated he believes that will be a SUNOCO.

Mr. Bielskie stated the property on Chestnut Street is up for sale and stated there are a few contractors have been looking at it.

Mr. Slaby questioned if there is any further information on the 900 block of Scott Street somebody wanting to put a garage in the middle of the block. Mr. Bielskie replied he thinks that project is dead.

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

Report Attachment #4

The code officer Heather Owens stated she would just like to say and provide a warning that with all the snow, people that own corner properties still need to shovel the fronts and the entire sides, even if there is grass, there still needs to be a shoveled walkway. Mr. Slaby stated he is sure she is having an issue issuing tickets because every couple day's it snows and in order to comply with the ordinances there has to be 24 hours after a snowstorm and then stated which has been difficult because of the continuation of snow. Heather Owens agreed.

Mr. Chesney stated last month on your report you have listed 94 citations. Mr. Chesney questioned if there is anything horrible out there. Ms. Owens replied 18 of them were most likely snow violations and garbage piled up. Mr. Chesney asked about any of the consistent violators. Heather Owens replied she sees a huge positive difference. Mr. Chesney thanked Heather Owens for her diligence.

Mr. Motyka questioned if we are doing anything about 1263 Chestnut Street and if we are fining them. Solicitor Greco replied that is in litigation from years ago and is still pending. Mr. Motyka stated looking at the property on google earth, an ariel video you could see what a mess it is. Mr. Motyka stated we should be fining this. Solicitor Greco stated we should contact the Attorney Kathleen Walsh to make sure we are not going to jeopardize the litigation. Mr. Chesney expressed his concern on whatever the outcome is, we in Kulpmont would want that property cleaned up.

Heather Owens stated she has had some correspondence with Mr. Valeiko on some issues with snow, weeds and such and stated he has been fined and has come in and paid them. Solicitor Greco stated that is fine, it is what is beyond the plywood what is being litigated.

SERVICE AND FACILITIES – (Robert Fanella)

Food Surplus Distribution will be held on February 18, 2021 at 12 noon at the borough garage.

Mr. Fanella stated the sweeper schedule has been advertised and will begin in March.

Mr. Fanella announced the Camera upgrade has been installed and completed at the Municipal building.

Mr. Fanella stated the Camera System will begin to be installed this week at the Borough Garage.

Mr. Fanella stated he would like council to consider a part time temporary person. He stated with the recent snowstorm and having only two full time and one part time worker it becomes difficult. Mr. Fanella stated our part time worker also has a full-time job and during snowstorms he is required at his full-time job to assist with snow removal there.

Mr. Fanella stated during storms as we just had we have equipment sitting where we could have someone to help open intersections a little quicker while the other two are plowing. Mr. Fanella stated it is something to consider and think about. Solicitor Greco replied we need to be careful and look at the union contract.

Mr. Slaby questioned what about the agility agreement we have with the sewer authority. Mr. Fanella replied they give more than we give back stating Stanley comes up to help with recycling. Mr. Fanella stated if there is no problem with any of the other board members.

Mr. Slaby stated we may call and check with the union on if there would be any push back. Mr. Motyka suggested to call the union hall and ask if anyone plows snow adding we will probably pay someone more, and it will be a lot less to negotiate a contract. Mr. Fanella stated that would cause more problems to bring someone in and pay them more than our full timers.

Mr. Fanella stated it is just a suggestion. Mr. Motyka commented “warmer days ahead.”

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Sinopoli to purchase sweeper brooms needed at a cost of \$456.00.

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

Mr. Fanella stated the KME Fire Truck needs state inspection and there is a problem with the light not going up. Mr. Fanella stated there is a company Fire Apparatus Services and they will come on location and evaluate, see what parts are needed and the truck will not need to go out of town or be taken out of service.

Mr. Fanella stated they could also look and evaluate the other truck. Mr. Fanella stated just coming here there will be a bill already. Solicitor Greco questioned if there is any idea on what the fee may be. Mr. Sinopoli stated when 215 had them come in it was \$150.00 to come in.

Mayor Bozza stated we need to keep them running, it is what it is. Mr. Slaby stated if they come on site or we send it, it is our responsibility. Mr. Fanella stated if they come in, we will not loose any service time. Mr. Slaby stated if they are aware of the problem, they may come in with the parts needed. Mr. Fanella stated if we send it to KME and they tear it apart, that is where the engine will sit, if they come in, we will not have to put it out of service. Mr. Fanella stated he did send them the name of the light and so they may have parts with them.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Dowkus to approve Fire Apparatus Services to come into evaluate engine 225 and 215, both trucks.

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

Mr. Fanella stated we should have the recycle bins open shortly with the cameras going up. Mr. Fanella stated they are coming in this week to install the panels in the police department holding room.

Mr. Chesney stated he would like to thank Mr. Fanella and Mr. Sinopoli for using their time and talents during the recent snowstorms to help the borough workers with snow removal. Mr. Chesney stated their time, talent, and concern for our workers in helping us out is certainly appreciated.

FINANCE/PURCHASING – (Stephen Motyka)

Mr. Motyka stated he emailed the gentleman from UGI and he increased the price by 30%, he went from \$25,000.00 to \$32,000.00 for the gas on 600 and 700 block of Pine Street. Mr. Motyka stated our solicitor has previously reviewed this.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Bielskie to sign and adopt the UGI Gas Co. agreement.

Mr. Chesney questioned Mr. Motyka if that was just an estimate, he gave prior, because he remembers he said 41. Mr. Motyka stated he took the prices we got from PennDOT and ran the numbers and square footage and stated he does not think we should gamble; he thinks we should take the 32. Mr. Chesney agreed that from 25 to 32 is great and then said that 41 would have been the cat's meow.

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

Mr. Motyka stated he did email them and make them aware of Chestnut Street coming up for a project and stated we would like to make gas available to everybody.

Mr. Motyka stated the finance committee met two weeks ago and stated Mr. Chesney had a good breakdown of our expenses. He stated they discussed the police car and agreed to continue payments on the police vehicle for another 14, or 15 months and it will then be paid off.

Mr. Motyka stated they spoke about the borough mortgage on this building and stated he and Rhonda are working on a spreadsheet to show the difference between utilities.

Mr. Chesney stated those are some of our outstanding debt. Mr. Chesney stated just so council members and the public as well understand the highway money, only 15% of our total can go to equipment and 85% of that must go to the actual physical work of repairing.

Mr. Chesney stated the possibility of speaking with another bank, our annual fees come out to be approximately \$1,000.00. Mr. Chesney stated after discussing we are just not sure it would be beneficial. Mr. Chesney stated we may talk and look into that, but we are not sure if it will be the best thing to do.

Mr. Chesney stated we now have the lot situation going in the right direction.

Mr. Chesney questioned Mr. Motyka concerning the grant and the account that was open if the Borough will be required to pay that \$10,000.00 for the engineering or will that come out of the grant. Mr. Motyka stated per grant stipulations, it is required to pay design fee.

Mr. Motyka stated we paid \$1,200.00 for the design drawing in the beginning.

Mr. Motyka stated \$35,000.00 was transferred from the grant into the account we opened, and we should have any day now. Mr. Motyka stated we should have the design by June and then be ready for construction. Mr. Motyka stated if anyone is interested in reviewing the grant and budget, he will be glad to sit down and walk you through it.

Mr. Chesney questioned with the current situation, with the pandemic and such if there is a realistic chance that this \$110,000.00 project could balloon to \$160,000.00 or \$150,000.00. Mr. Chesney questioned if this is a possibility just due to the pandemic and cost of materials rising.

Mr. Chesney stated if it does, he is sure the grant is not going to come up and he would hope every month we will not sit here and need to approve additional money just due to prices skyrocketing. Mr. Chesney stated that is his fear. Mr. Motyka replied we would downsize the project to meet that budget, that is all. Mr. Motyka stated DCNR requires us to bid materials and so we will be purchasing materials through Costars.

Mr. Chesney questioned if we have any commitment from the Mt. Carmel Area Baseball Boosters that they will contribute anywhere from \$5,000.00 to \$6,000.00. Mr. Motyka stated they said they will do their best to come up with the difference. Mr. Motyka stated if the commitment does not reach its full potential, we downsize the project.

Mr. Slaby questioned there has been any communication between the School Board and he, (Mr. Motyka). Mr. Motyka stated they are aware of the situation and the school board has received all the letters, pre-grant. Mr. Chesney stated as of now he really feels that it will be the boosters because the board, at least two members indicated they are in no financial position to contribute.

Mr. Chesney stated the boosters may have the ability to raise money, but not the district. Mr. Slaby stated he could understand that but if we get to the point where we only have so much money where we need to stop or start cutting, we will need to come to a grinding halt until we can come up with the money or somebody helps us. Mr. Motyka stated this is a four-year agreement and stated we may have some finishing touches in 2022.

Mr. Motyka asked council to keep in mind that he forfeited his salary of \$8,000.00 back to recreation in the Borough. Mr. Motyka stated even if we do come up \$5,000.00 short, he would hope that council would agree to spend his forfeited salary on this project.

Mr. Motyka stated we met with Statewide Tax recovery in December and stated he just would like to make sure the wheels are in motion. Mr. Slaby acknowledged they are, and he will be getting something in the very near future.

CODE HEALTH AND SAFETY (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated ordinance 2021-02 has been advertised to establish compensation for the tax collector for fees. Solicitor Greco stated it was a standard ordinance and the fee schedule is comparable to other municipalities. Solicitor Greco stated the tax collector can get inundated through payoffs from attorneys, mortgage companies and such.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Chesney to adopt the 2021-02 compensation fee schedule for the tax collector setting the fees as advertised.

ROLL CALL VOTE- DOWKUS (yes), MOTYKA (yes), CHESNEY (yes), FANELLA (yes), SINOPOLI (yes), BIELSKIE (yes), SLABY (yes)

7 YEAS – 0 NAYS

Mr. Dowkus stated he attended the sewer authority meeting last evening and stated it brought to light what our code enforcer is dealing with as far as rat issues. He stated possible the borough and the sewer authority could come together to see if there is some underlying problem as far as the rat issues.

Mr. Slaby stated he recalls in the past when he was Mayor this would flair up from time to time. Mr. Slaby stated at the time the sewer authority would go out and do their thing and they go away. He added he listened to this problem since last summer and would say make sure we enforce the ordinances, no garbage lying around and that all cans have lids on them.

Mr. Slaby questioned Ms. Owens on the rat situation asking if there is a particular section of the town where they are. Ms. Owens replied yes and stated she visited 1203 Scott Street and stated in the rear of the property she could see the holes in the grass and up underneath 1201 rear slab of concrete. She stated it is almost as they are living there.

Ms. Owens stated she has done hours and hours of research. She stated it is like 300 square feet where they get their food source. She states there are at least 8 to 15 of them and they eat 2 ounces of food each day. Ms. Owens stated 1201 in the rear is where people thought they were coming from, this home is not a rental, but he did allow her to walk through the home and there is no garbage, no signs of rats, nothing.

Ms. Owens stated 1203's yard is subsiding, and she stated in talking to Mr. Bielskie he questioned if there is a sewer problem.

Mr. Dowkus stated there is on the 1200 block of Scott Street that said a neighbor there possibly had a bath house or out house at one time, but you could see there was a sewer there at one time. Mayor Bozza questioned if the sewer authority has a camera system or

something. Mr. Fanella stated they have access; they get Myron when they did Oak Street.

Mr. Bielskie stated we do not go onto private property; we do the main lines. Mr. Fanella stated he would like to get the borough and sewer authority together and out to bait the sewers and attack it that way. A discussion took place due to the snow and ice on the best time to proceed in baiting the sewers. The plan is to when weather permits proceed with baiting the sewers in the Borough.

Mr. Bielskie stated we are having some issues with outdoor wood burners in the area, smoke is going up people are complaining, and it is a health hazard. Mr. Bielskie stated he went online, and State EPA has a law if you put one in you need to keep 50 feet from a property line and stated he is going to need to post this guy. Mr. Bielskie stated there is not a 50' property on Pine Street.

Mr. Bielskie stated he thinks we will need to look into an Ordinance on the outdoor wood burners. Mr. Dowkus questioned if the state regulations precede our ordinance. Solicitor Greco replied yes. Mr. Dowkus then commented so, there would be no grandfathering in. Mr. Bielskie replied that law was in 2010. Solicitor Greco stated some people like to burn wood, they like the wood smell and it is an ongoing battle, but we will get some ordinances for review. Mr. Slaby agrees and stated he lives in an area where it happens quite often.

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated Kulpmont 100 was successful in obtaining the \$20,000.00 grant.

Mr. Chesney stated everything is progressing and hopes Kulpmont 100 continues to be successful in obtaining grants.

Mr. Motyka stated letters were signed and mailed to Senator Gordner and Representative Masser requesting support for the YMCA. Mr. Motyka stated we will again then prepare a letter to initiate a needs assessment. Mr. Motyka stated he will be asking again for all members to sign the letter.

PERSONNEL- (Michael Sinopoli)

No Report

FIRE/EMA/POLICE COMMITTEE – (Robert Fanella)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Slaby stated at this time any citizens are asked to type their concerns or questions they would like addressed by Council.

Mayor Bozza stated Helen Stone who has a situation with her sidewalk and questioned if Code is familiar with her situation at 530 Spruce Street. Heather Owens replied it has been discussed before and said the Solicitor said it was a civil matter. Mayor Bozza stated the situation is the water from the neighbor's sidewalk is going in and undermining her house. Mayor Bozza questioned Mr. Bielskie if he was familiar with that. Mr. Bielskie replied "no."

Solicitor Greco stated it is generally a civil matter between the two because one landowner is responsible for his water discharge and so there may be potential legal action against them.

Mr. Motyka stated we do have a sidewalk ordinance; you do need to maintain your sidewalk. Mayor Bozza then said how does that work, you need to maintain your sidewalk and so if the water is going right down in her sidewalk..... Mr. Bielskie questioned if it is between the sidewalk or in front, adding he will need to look at it. Mayor Bozza stated he may look at it.

Ms. Owens stated she has been at the property on numerous occasions and the actual deed holder of the properties is Nick Nestico and stated Helen Stone has a rent to own. Ms. Owens stated she had said to Helen Stone if she is going to fine him for his crack, she will need to fine her for the same because the damage is on hers as well. Ms. Owens stated her husband was listed on the registration of the properties prior to her being code officer as the property manager of both properties and was not paying rent because he worked for Mr. Nestico. Mr. Bielskie again said he will look at it.

Mr. Slaby asked if any other citizens have any further questions.

No other citizens addressed Council.

OLD BUSINESS-

None

NEW BUSINESS-

None

ANNOUNCEMENTS

Happy Valentine's Day

Mr. Chesney stated with this month being Black History month, he stated we hope that everyone should, would and could be treated equally in every aspect regardless of race, creed, color, and gender.

Mr. Chesney asked all residents to continue to practice social distancing and wear a mask.

Mr. Chesney wished Angie Timm a happy 100th birthday.

ADJOURNMENT

The February 10, 2021 meeting was adjourned at the call of the Chair

**Rhonda Wilk
Borough Secretary**

Approval date – March 10, 2021