

**KULPMONT BOROUGH COUNCIL
REGULAR MEETING
JULY 14, 2015**

The Borough Solicitor announced that the Mayor is out of town and as a result, under code the President of Council takes over his duties and states that Mr. Varano is the acting Mayor.

Mr. Cole states that what normally happens then is that the Vice President would chair the meeting but states that however Mr. Deitrick is not present tonight. Mr. Cole states that he will be calling for a motion from the council members to appoint a president Pro Tempore to conduct tonight's meeting.

MOTION- Mr. Bozza made the motion and was seconded by Mr. Scicchitano to nominate Mr. Winhofer as President Pro Tempore to chair the meeting.

VOICE VOTE –

Unanimous

**Opening Prayer by Councilperson Nicholas Bozza
The Pledge of Allegiance to the Flag by body present, Kulpmont Borough Council
held its regular monthly meeting Tuesday July 14, 2015.**

Roll call was taken and the following members were present: Mayor Bruno R. Varano, Nicholas Bozza, Stephanie Niglio, Philip Scicchitano, Joseph A. Winhofer and Stephen Motyka.

ABSENT: Mayor Bernard Novakoski and Clarence H. Deitrick.

APPOINTED POSITIONS: Borough Solicitor William C. Cole and Borough Treasurer Paul A. Niglio, Jr.

PRESENT: Borough Supervisor Bruce Graff, Borough Secretary Rhonda Wilk, Code Officer Russ Moroz. and Police Chief Michael Pitcavage.

OTHERS PRESENT: Mary Fizz, Vince Wasilewski, Barry Fetterman and Joe Politza

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

No one spoke

PRESIDENTS REPORT (Bruno R. Varano)

No Report

MAYORS REPORT (Bernard P. Novakoski)

Acting Mayor, Mr. Varano states that he has nothing to report and states that he will need a short executive session at the end of the meeting.

SECRETARYS REPORT (Rhonda Wilk)

Rhonda Wilk states that a motion is needed to approve the meeting minutes from the June 9th and the June 16th meetings.

MOTION- Mr. Bozza made the motion and was seconded by Mr. Scicchitano to approve the June 9th and June 16th meeting minutes.

VOICE VOTE –

Unanimous

Rhonda Wilk states that under correspondence a letter was received from Pothole Killers and that letter and information was copied to Council and the Mayor.

She states that a letter was received from the Knights of Columbus concerning a request for approval on parking at the Veterans Memorial Park Field for the Wine Fest to be held on Oct 10th.

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

ROLL CALL VOTE- BOZZA (yes), DEITRICK (absent), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), WINHOFER (yes)
5 YEAS – 0 NAYS

TREASURERS REPORT (Paul A. Niglio, Jr.)

Mr. Niglio states that council received a copy of the financial report and states that a motion is needed to approve the financial statement and to pay the bills with one addition, a bill from Satin Stitches in Danville. He stated that Russ Moroz purchased shirts to identify him as a code enforcement officer and states that the standard fee for digitizing is \$25.00, 11 full logo on customer supplied shirts and jacket \$110.00, 7 small logo on customer supplied shirts \$49.00 for a total of \$184.00.

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

ROLL CALL VOTE- BOZZA (yes), DEITRICK (absent), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), WINHOFER (yes)
5 YEAS – 0 NAYS

SOLICITORS REPORT (William C. Cole)

The Solicitor states that he went through all of the ordinances that Councilwomen Niglio and her committee looked at and it appears that most changes would be appropriate. Mr. Cole states that if the remainder of the board has any other input on that to let Councilwomen Niglio and him know, if the board would like to make any changes or deletions we then can begin to put them in a format for the board to review and then potentially advertise possibly at the August meeting, if we can get all of that together.

POLICE REPORT (Chief Michael Pitcavage)

Report attachment #2

FIRE CHIEFS REPORT (Jeff Gilotti)

Fire Chief Report attachment #3

EMERGENCY MANAGEMENT (Kevin O' Hearn)

No Report

BUILDING INSPECTOR REPORT (TRI County COG)

Building Inspector Report attachment #4

CODE/HEALTH ENFORCEMENT OFFICERS REPORT (Russ Moroz)

Code Enforcement Report attachment #5

PERSONNEL COMMITTEE (Phillip Scicchitano)

No Report

SERVICE/FACILITIES COMMITTEE (Nicholas Bozza)

Mr. Bozza states that the Food Surplus distribution will be held on July 23rd at 8:00 AM until 12:00 noon. Mr. Bozza states that he would like to remind all residents that they must re-sign for the Food Assistance Program for 2015-2016, forms may be completed in the Borough Office during business hours. Mr. Bozza states residents will need to provide verification of residency at sign up.

Mr. Bozza states that a price was received from Bradco Supply Co. for 2 sets 4 section Elgin Broom at \$114.00 each. Mr. Bozza states that they are needed and with adding the side streets they are wearing down very quickly. He states that the total cost will be \$228.00.

MOTION- Mr. Bozza made the motion and was seconded by Mrs. Niglio to purchase two new sets of brooms for the street sweeper at a cost of \$228.00.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (absent), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), WINHOFER (yes)
5 YEAS – 0 NAYS

Mr. Bozza states that a weed whacker died and states that they are getting used pretty hard also. He states that he received a price on a new Stihl Trimmer at a cost of \$314.99.

MOTION- Mr. Bozza made the motion and was seconded by Mrs. Niglio to purchase a new weed trimmer at a cost of \$314.99.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (absent), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), WINHOFER (yes)
5 YEAS – 0 NAYS

Mr. Bozza states that council all received copies of pictures of some sink holes that have opened up in the Borough. He states that one of them is down at the corner of 15th and Chestnut and the other one just opened up today on 6th Street down by the Sportsman's Club. Mr. Bozza states that a man from Penn Dot came up and talked to Bruce Graff he states that he will not mention any names but that he came up and talked to Bruce and basically told him that it was not their problem. Mr. Bozza states that he then called him up.

Mr. Bozza states that most of us know what the right of way is and states that it is 100 ft. right of way on Chestnut Street and states that this person from Penn Dot told him that they will blacktop it, but that the Borough is responsible for what is under the blacktop, which Mr. Bozza adds that he does not see how.

Mr. Bozza states that he told them that he is not going to agree to fix these holes and states that he would like to do is put boiler plates over them and let them go. Mr. Bozza states that Penn Dot is stating that it is a utility problem so that the utility people will have to deal with it.

Mr. Bozza states that he does not see how this is the Boroughs responsibility because the one on 15th and Chestnut is right on the white line and so is the one at the Sportsman's right on the line.

Bruce Graff adds that there is a gas line there; you have a drainage pipe coming from Bressi's corner for rainwater and that runs all of the way down to that hole where the

road opens up you can actually look in there the metal pipe in there is collapsing and the water is just running through.

Mr. Winhofer states that he feels that we need to write a letter to Representative Kurt Masser and explain to him that this is not the first time that we were told that something on their right of way or roadway is not their fault.

Mr. Bozza asks if he has permission by council to put the boiler plates down and states that he does not think we should be responsible. Mr. Bozza states that the one down on 15th and Chestnut there is a high pressure gas line and we cannot do that, and states that is too big for our street department to do.

Mrs. Niglio suggests sending a letter to Sandy Tosca. Mr. Winhofer replied that we can send a letter to Masser and then copy to her and let her know that it is going to Masser.

Mr. Bozza states that we just do not have the equipment to do something like that; we can't do it and adds that he does not think it is right that they are throwing this on us.

Mr. Winhoffer agreed and commented that this is not the only time that they said something that wasn't their problem.

Mr. Scicchitano asks if Mr. Bozza if he has these plates.

Mr. Bozza replied that we can get them off of Smitty.

Mr. Motyka states that he thinks by placing plates over them, we would be kind of taking ownership of it.

Mr. Bozza replied that we have got to do something; if someone drives over that one down there they are going to go in there with a car. He states that if you patch the top of it, it will be like a thin ice on top of it. Mr. Bozza states that everybody goes over there to turn up 15th and states that it is right by the storage sheds. Mr. Bozza states that he will just leave cones down there.

Mr. Bozza then asked the Solicitor if plates are placed there are we claiming ownership of that or what.

Mr. Cole replied "no" but added that it is just a liability issue, in other words it is a liability issue and states that it is Penn Dot's right of way of course so they need to address it. Mr. Cole states that the other issue we have is the instant safety issues that are going on which he states that he feels that we do not want to ignore due to their refusal to do anything at this point.

Mr. Cole states that he thinks that we would have to cover them, if the board or the street committee feels that, and adds that he does not know if they could make this determination, structurally are the areas stable enough to support the plates.

Mr. Graff states that the one down on 6th Street is bad but that the one on 15th Street is not as bad.

Mr. Motyka adds that the one on 15th Street with the size of the plates would be sticking out into the travel lane.

Mr. Bozza agreed and said that we would have to pin them down and states that some of them would have to be in the travel lane. Mr. Bozza states that he told them that and they said do what you have got to do.

Mr. Winhofer questions on who told him this.

Mr. Bozza questioned if council wants him to say the name.

Mr. Winhofer replied yes.

Mr. Bozza replied that his name is Jayman Hess.

Mr. Winhofer adds that his name will be in the letter.

Mr. Bozza states that he does not see how they are not responsible. Russ Moroz states that there was a one call done on the 15th Street one and the utilities should be down there marking that.

Mr. Bozza asks Mrs. Niglio to help him with that letter. Mrs. Niglio responds yes.

Bruce Graff states that they are not going to do anything with the one on 6th Street; he states that is definitely a pipe.

Mr. Bozza added that could be a mine subsidence but states that at least they could come up and look at it.

FINANCE AND PURCHASING COMMITTEE (Stephen Motyka)

Mr. Motyka states that today we received notification from Gannon and Associates the Police professional liability policy. He states that our current policy premium of \$10,247.00 drops down to \$6,720.00 saving the borough \$3,527.00.

Mr. Niglio states that this is going to be incorporated with our regular policy that renews in October so what will happen now is we will have to pay a premium for the next two months and then it will renew on October 13th at our regular renewal policy rate and will all be under one umbrella. Mr. Niglio states that Steve Sumner from Gannon feels that this is our cheapest alternative.

MOTION- Mr. Motyka made the motion to maintain the Selective Insurance from Gannon for the Police Liability under one policy.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (absent), MOTYKA (yes), NIGLIO (yes), SCICCHIOTANO (yes), WINHOFER (yes)
5 YEAS – 0 NAYS

CODE/HEALTH/SAFETY COMMITTEE (Philip Scicchitano)

No Report

ORDINANCE COMMITTEE (Stephanie Niglio)

Mrs. Niglio stated that Mr. Cole gave us an update. Mrs. Niglio asks that if anyone has anything that they need to submit to her she states that she would appreciate that they get it to her as soon as you can, regarding the ordinances that were handed out at the last meeting.

GRANTS AND RECREATION COMMITTEE (Clarence H. Deitrick)

Acting Mayor Varano states that he knows that Mr. Deitrick is working on a grant for the police department looking into several items.

Acting Mayor Varano asks the Police Chief to elaborate on that.

Chief Pitcavage states that he is looking at a grant for basically anything that the department needs and states that he is compiling a list such as the ENRADD Wireless System.

Mr. Bozza asks which grant is that. Mayor Varano states that it is a \$10,000.00 one he knows. Mr. Bozza asks if it is the Williams Gas Company one. Mayor Varano agrees.

BUILDING COMMITTEE (Stephen Motyka)

Mr. Motyka states that Mount Carmel Area School District has signed the Deed over to the Borough for the Wilson School.

Mr. Cole states that is correct and it was received and has already been recorded and in our possession.

Mr. Motyka states that the USDA sent us the deed to sign for the East End Fire Company.

Mr. Cole states that it was not a deed it was an agreement of sale which he states that he believes the president has signed.

Mr. Varano states that is correct and that he signed it when he was president back in the day, as he currently is serving as acting Mayor in the absence on Mayor Novakoski.

Mr. Niglio states that once we receive the check from Susquehanna then the sales agreement will be sent back with the check.

Mr. Motyka asks Mr. Cole if there was a question on the research of the deed.

Mr. Cole states that is being done now.

Mr. Motyka states that while he was away on vacation some of the council inputted some information to Baer Wolfe on the design and states that he will reach out to them and find out when they could present us with the design.

SENIOR EXECUTIVE COMMITTEE (J. Winhofer, B. Varano and C. Deitrick)

No Report

OLD BUSINESS

None

NEW BUSINESS

None

ANNOUNCEMENTS

Acting Mayor Varano wishes Mr. Bozza a happy birthday

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mary Fizz of 755 Spruce Street states that she has been here since April and comes from Colebrookdale Township with a brief stop in the Reading area to Kulpmont.

Ms. Fizz states that in her previous township where she comes from the neighboring township has a landfill and there was a problem with leachate and wells were contaminated. She states that they had to put public water in for her father because they were not supposed to be drinking the water.

Ms. Fizz asks why we are not recycling all of the plastics up to #5. In Colebrookdale Township and Reading it was #1 – 5 and here you just have #1 and #2. Ms. Fizz states that she likes to recycle and does not like putting things in the landfill because they do end up causing problems eventually and states that she would just like to see the recycling for the plastics to be a little bit more inclusive.

Acting Mayor Varano states that he does not think the recycling center takes anything other than # 1 and #2. Mr. Bozza states that he can look into it.

Mr. Motyka adds that since you are new to the area he would like to mention that we just received some recycling bins that are available for residents of the Borough.

Acting President Winhofer announced that if there are no additional questions at this time council will meet in executive session on the request of the Mayor.

The Borough Solicitor William C. Cole states that the board met in executive session for approximately one half hour for personnel, contractual and litigation matters.

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

RHONDA WILK
BOROUGH SECRETARY

DATE OF APPROVAL