

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING**

June 10, 2020

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 June 10, 2020

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

ABSENT: Michael Sinopoli

APPOINTED OFFICIALS PRESENT: Solicitor, Edward Greco, Treasurer Paul Niglio, Secretary Rhonda Wilk, Code Official Heather Owens, Borough Supervisor Bruce Graff

OTHERS PRESENT: Edwin Howerter, Lynn Ridner, Bill Ridner, Mike Benedetto, Vikki Benedetto, Karen Heiber, Grace Roseman, Barry Roseman, Barry Fetterman, Joe Politza, Albert Rosetta, Matt and Taylor Ridner and Claire Taddeo.

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

No one spoke

PRESIDENTS REPORT – (Robert M. Slaby)

Mr. Slaby welcomed all to meeting and thanked everyone for coming.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated Friday Northumberland County is to go green and reminded everyone with going green there are still restrictions and social distancing practices should be followed.

Mayor Bozza stated they have received donations for the pollination Garden and said the project is moving along.

Mayor Bozza stated there are some stop signs and one-way signs that have been discussed previously and stated he feels we should move on that and do what must be done.

Mayor Bozza questioned the number of hours a part time officer may work. The Solicitor and Treasurer replied and agreed they must work no more than 28 hours per week.

Treasurer Niglio added as part time employees, they are not in the pension plan and so 28 hours per week is the permitted hours they may work per week.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the regular monthly meeting minutes from the May 13th meeting

MOTION – Mr. Bielskie made the motion and was seconded by Mr. Motyka to approve the meeting minutes from the May 13, 2020 meeting.

VOICE VOTE – Unanimous

Rhonda Wilk stated the following correspondence was received;

County of Northumberland – CDBG COVID -19 crisis, Copy Mayor/Council

A letter from Northumberland County Tax Claim Bureau concerning the Judicial Sale, Copy Mayor/Council

A letter was received from residents of 857 Spruce Street and signed Taylor and Family, Copy Mayor/Council

A letter was received from Helen Stone of 530 Spruce Street and was copied to Mayor/Council

And a letter was received from Gannon Associates informing of a 15% credit of premiums for April and May due to COVID-19, copy Mayor and Council

Mr. Chesney commented on the credit the Borough will receive for the month of April and May and stated he was pleased with that. Mr. Chesney stated it is reported many residents may also receive a similar credit from their insurance company do to COVID-19.

TREASURERS REPORT – (Paul A. Niglio)

Mr. Niglio 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 listed as well as regular monthly bills that have not been received yet. Mr. Niglio stated it is early in the month and many bills have not been received as of today.

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

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

6 YEAS – 0 NAYS

SOLICITORS REPORT- (Edward Greco)

No Report

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

Mr. Chesney questioned what would constitute the police having overtime. Officer Toter replied to Mr. Chesney stating magistrate court and county court, holiday's or arrests could be the cause and would constitute overtime.

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachments #3

Treasurers Report attachment #4

Mr. Chesney stated he was pleased to receive a treasurer's report and thanked them for providing it.

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 #5

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated the food surplus will be held on June 18th from 8 a.m. until 12 noon at the Borough Garage.

Mr. Fanella stated tires are needed for the Police vehicle.

MOTION- Mr. Fanella made a motion to purchase tires at a cost of \$558.28 for the Chevy Tahoe and was seconded by Mr. Motyka.

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

6 YEAS – 0 NAYS

Mr. Fanella stated it was discussed back when trees were removed from Lamplight Acres to re-plant some trees or shrubbery. Mr. Fanella stated Kulpmont 100 will be planting the new shrubbery in Lamplight Acres at no cost to the Borough.

Mr. Fanella stated a stop sign has been requested to be placed at 15th and Scott Street. A discussion took place. Solicitor Greco commented for a stop sign violation to be valid, a traffic study should be done and then enact on an ordinance to be adopted. Suggesting for 15th Street or additional streets, it should be done all at one time.

It was discussed for the Mayor, Service and Facilities and the Chief of Police to get together on stop signs. A discussion took place about 2 stop signs, one near the Polish Club and another that were installed within the last two years and how they will need to be put into that grouping of signs once it is decided where any others may be needed. Again, it was discussed it would be best to do that all together at one time.

Mayor Bozza and Mr. Fanella will get together on where stop signs are needed.

Mr. Fanella stated hand sanitizer stations are needed for the Borough Building adding an order was placed together with the KMHJMA. Mr. Fanella stated they are on backorder until July and once they are received the Borough will need to reimburse KMHJMA for those purchased for the Borough Building.

Mayor Bozza questioned Mr. Fanella about the project at 6th and Fir Street, he stated he has been asked by the contractor about the road plates and the status. Mr. Fanella replied it should be set to go and the Engineer will be putting it out of bid.

FINANCE/PURCHASING- (Stephen Motyka)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

Mr. Bielskie stated Ordinance 2020-3 has been advertised including the provision that would allow any future fee schedule to be changed by resolution by Borough Council.

MOTION- Mr. Bielskie made the motion to adopt Ordinance 2020-3 and was seconded by Mr. Dowkus.

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

6 YEAS – 0 NAYS

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated we are looking into the noise ordinance as well as some other Ordinances concerning farm animals, poultry and a Fire Department Ordinance.

GRANTS/RECREATION – (Robert Chesney)

Concerning a partial baseball season, Ray Shimko has provided a plan that was received by Council and state he will follow all directives coming down from the State PIAA regarding Covid-19 Safety precautions guidelines set forth.

Mr. Chesney stated the Kulpmont 100 secured a grant to help get the youth a pitch machine and mound.

He added the Kulpmont 100 is looking into a red-light enforcement grant and possible signage.

Mr. Chesney stated concerning the restroom grant for down at the Veterans Memorial Field. He stated, facts from the grant wording itself that there are unforeseen costs at this time that could be expensive, it reads assumptions have been made with regard to this project and he wanted to stress that these assumptions are based only on known information and no guarantee is made as to their accuracy or applicability. He stated it also reads the work is limited to the Site Development Drawing and Location Map and does not include construction drawings, bid specifications, permitting, etc. if the grant were to be successful.

Mr. Chesney stated he questions why Brinkash & Associates, Inc. was hired to do the engineering work when we named a borough engineer.

Mr. Chesney stated in the letter it reads, there is always a possibility that some unforeseen situation could prompt a need for any of these items whether it be the client's own decision or regulatory requirements. If needed a cost proposal could be provided for any of these items and then in a letter from Brinkash there are 23 more services listed with possible charges.

Mr. Chesney stated in adding up the engineering fee schedule 2020 there is a possibility of paying \$755.00 per hour if services are needed.

Mr. Chesney stated under Post Construction the letter reads Kulpmont Borough and Mount Carmel School District facility employees will continue with the yearly maintenance of the park in its entirety. Mr. Chesney questioned the commitment by MCA to the extent of time and hours that they would supply.

He states again in the description it reads, Borough and school maintenance staff perform regular inspections, general maintenance which include mowing, cleaning, landscaping, etc. site upgrades and facility replacements. Mr. Chesney made the statement, again this is questioned.

Mr. Chesney stated restrooms require careful consideration prior to installation. They are expensive to install and maintain, restrooms are often the target of vandalism. Mr. Chesney stated, this is directly from the grant proposal

Mr. Chesney stated there is a statement, Mount Carmel Area School District Baseball and Cross-Country use Veterans Memorial Field. Currently MCA and Kulpmont borough have an active lease agreement which states that cost/labor hours would be split on any activity directly associated with baseball or cross-country activities.

Mr. Chesney questions if we should slow down and take another look at this project, this grant and what the possible additional expense could be.

Mr. Chesney stated the total project cost is \$99,214.60, DCNR request of \$64,607.30 with a match amount of \$34,607.30. Mr. Chesney stated Mr. Motyka has said \$14,000 and \$7,500 labor accounts for \$21,500.00 to be donated from labor costs but not actual dollars. Mr. Chesney stated we have paid \$1,200.00 already to Brinkash Engineering and that would leave the Borough match short \$13,107.00.

PERSONNEL- (Michael Sinopoli)

Mr. Slaby stated Mr. Sinopoli is absent this evening due to work related obligations. Mr. Slaby announced Council will meet in executive session at the end of the meeting to discuss some personnel matters.

FIRE/EMA/POLICE COMMITTEE – (Robert Fanella)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Claire Taddeo stated she is here in reference to 1158 Poplar Street. She asked if there is any place where she could view the ordinances that the borough has. Ms. Taddeo stated she has seen some online or seen some information on Facebook.

Mr. Bielskie questioned what issue she is particularly looking for. She replied that she is looking basically for how her neighbors should maintain their property, what they should and should not do.

Mr. Bielskie replied Heather Owens the code officer would take care of those issues. Mrs. Owens stated she would need to pull her records and look into the property she is questioning about and asked Ms. Taddeo to stay after if possible and she will speak with her.

Ms. Taddeo replied she will and stated she has spoke with her before and stated she has pictures adding every day there seems to be more safety and code issues. Ms. Taddeo

stated she would like to know what the codes are for safety and doing things in your yard or condition of a home, such as broken windows.

Ms. Taddeo questioned is there an ordinance that would state there should be clearance in your back yard to pass through pass a trampoline or pool in your yard, tiki torches and fire hazards.

Ms. Owens stated most of the recent ordinances could be found online and stated there are many ordinances and she is welcome to come in and she will provide her with whatever she wants. Ms. Owens stated many issues will fall under the Quality of Life Ordinance.

Ms. Taddeo stated everyday there seems to be more code and safety issues and stated that is why she is here this evening. Ms. Taddeo stated she would like to see an ordinance about a neighboring property and what they can do.

Mr. Dowkus explained there are so many ordinances depending on the issue, he suggested to look at the Quality of Life ordinance and stated many of the issues you may find in there. Mr. Dowkus reminded Ms. Taddeo to call and report any issues she may be having. She replied it is a safety factor and worries how emergency people would get to a house with all the junk around there. Mr. Bielskie stated there are some things our code officer can do under property maintenance and anything more serious he would be able to address under UCC as an unsafe structure.

Mr. Slaby suggested Ms. Taddeo take up the Code officer on her offer and stated he is sure she will be satisfied and stated if not to contact a member of council.

Mike Benedetto of Spruce Street. He stated he has a problem with 21 ducks and chickens he stated they are in a camper no wider than 6 feet and no longer than 12 ft. and it is 1 ft. from his deck. Mr. Benedetto stated the girl runs up and down the yard, all over the place, there is a pool for the ducks and the boy was in there. Mr. Benedetto questioned how sanitary that is, adding it could cause salmonella. Mr. Benedetto stated the yard is all fenced in and looks like a barn yard. He stated the animals go in the yard and same does the dog, they don't have a porta-potty to use and stated he has not seen anybody clean up.

Mr. Slaby commented he understands. Mr. Slaby stated that he has been at his house on two occasions himself and understand Mr. Bielski has been there and believes the Mayor has been there. Mr. Slaby stated to Mr. Benedetto that the Code Officer is aware of what you are talking about.

Mr. Benedetto then said, "something needs to be done." He then questioned how many people sitting up there on council, want that next to them. Most of Council expressed they would not at all want that next to them. The Code Officer stated she has been there and would be okay with it.

Vikki Benedetto of 853 Spruce Street stated the Code Officer has never bothered to ask them a question. Ms. Benedetto stated, she the Code Officer has never bothered to ask them a question and stated she just comes up and chats in the yard. Vikki Benedetto proceeded to play a recording on her phone when Mr. Matt Ridner interjected and stated, "that recording cannot be used because she did not get our permission to record." Mr. Matt Ridner then shouted, "I cannot hold my tongue anymore and stated this is absolutely ridiculous." He continued to shout when Council President, Mr. Slaby warned that his is out of order and would have the police remove him, calling for order. Mr. Ridner complied, and Ms. Vikki Benedetto then stated she will not proceed to play the recording because of that. Vikki Benedetto stated the sound of 20 ducks honking in the morning when you are trying to enjoy a cup of coffee in the morning is not enjoyable.

Vikki Benedetto stated if she wanted to live by that she would live by that she would live in the country and stated if they want to live like that then they should move to the country. She continued to say they keep the front door closed, but on nice days they like to open the back door and questioned how you could do that when the neighbor is shoveling chicken shit and sand down in the back yard, when it is 90 degrees outside for days, it is going to smell.

Ms. Benedetto stated she asked them on May 25th if they could please move out that camper. She stated they even offered to help push it out of the way because they said they could not move it because of vehicle issues, still it is there closed. Mr. Bielskie that if things get to bad and there are enough complaints, it is a health and sanitation issue and they could close it down. Mr. Bielskie state when he was there the smell was not bad, but it was a cool morning adding if he goes there on a hot day and gets a ad smell, then we will have an issue. Mr. Bielskie commented that it does cause salmonella.

The Code Officer, Heather Owens responded to Ms. Benedetto and stated she spoke to her on the porch and said she did ask her about the situation. Ms. Benedetto replied, "you were there, not to talk to me but to the neighbor." Ms. Benedetto also stated the code officer did not ask them any questions, only the neighbor was asked questions. Heather Owens then stated Ms. Benedetto said she did not have a problem with the birds.

Ms. Benedetto replied she did not say she did not have a problem with the birds. Ms. Benedetto stated she, the neighbor said I did not have a problem with the birds. Ms. Benedetto said to the code officer, "if you want that next to you, good for you." Ms. Owens state she is just going off the conversation she and her had. Ms. Benedetto replied, "we did not have a conversation." Ms. Benedetto added they were on their way to Browsers to pick up dinner and she was just being nice to save face. Ms. Benedetto stated they do not need to be friends, but they do need to be neighbors.

Ms. Taylor Ridner of Spruce Street they had a conversation and notified the Benedetto's they were recording the conversation with audio, she stated she has it available but not with her. She stated they are aware they have an excess amount of birds and stated the councilman that came by and spoke with them, the only one that spoke with them is aware they are looking for good homes for them. Ms. Ridner stated they started with four

baby chicks and ducklings and eggs. She stated from the research she has done the success rate of hatching and raising the baby chicks and ducklings was low and so they started with extra eggs. She states their success as first timers was much better than expected.

Ms. Ridner stated it has been a great learning project for her son and assured they do not want that many birds. Ms. Ridner stated as far as salmonella, she can provide full reports. She stated 380 people die each year from eating raw or undercooked commercial poultry and stated back yard number is six. Ms. Ridner stated the fence was put up quickly to keep the birds in the yard, because that was an issue and stated they are willing to work with anyone that is willing to work with them and stated they do not want it to be any more disgusting for them, as for anybody else. She commented, they do live there also.

Karen Heiber of 910 Pine Street stated her sister lives next door to the property discussed and stated there was a camper in there for a few years and there would be people that would come from who knows where that would stay in there. Ms. Heiber stated however it was used for the birds and they were cleaning it 1 to every 3 days. She said pardon my language, it was filled with shit. Ms. Heiber stated the camper has not been moved and has not been cleaned out and it was filled and stated she does not care if you run a hose over it and asked how you know it is sanitized.

Taylor Ridner replied it has been sanitized. Ms. Heiber stated it should be moved away from the deck. Ms. Ridner said it could be moved a few feet. A brief disagreement between the two parties involved began and Mr. Slaby called for order and moved on from the subject.

Grace Roseman of 515 Spruce Street stated she is here this evening concerning the burning ordinance and stated she is asking council to ban all wood burning. She stated she believes it is a hazard and people should not need to be living next door to people burning with high flames and is asking for burning to be limited to only propane and commented Shamokin has it that way. She stated times have changes and it is a fire hazard, embers are going up and they cannot be stopped from flying. She stated she came home to so much smoke the other day that she thought her house was on fire adding it is a shame you cannot have your windows open on a nice day.

Mr. Slaby stated if the ordinance committee reviews this and determines that the ordinance is suitable, the Mayor may not want to hear this, but the public will need to call the 911 center and the police will need to be dispatched. Ms. Roseman stated we do not always have police on and if the State Police are called, they may not come out for 20 to 40 minutes. Mr. Slaby replied, the State Police are probably not going to come out for what you are referring to. Mr. Slaby stated we will let the ordinance committee review this. Mr. Slaby suggested she leave her phone number for Mr. Dowkus so that he can update her on what they have reviewed.

Bill Ridner of 1362 Poplar Street stated he is having an ATV problem, he added they are coming up 14th Street and right down Poplar Street and stated it is a safety hazard adding

people do not stop at stop signs. He stated 65 ATV's came right up past his house and off into the woods. Mayor Bozza state the police have had calls on this situation and by the time they respond they are gone. Mr. Ridner stated when the Covid-19 problem started he read somewhere of the ATV problem with riding on the streets and questioned what is causing them to do this.

Mr. Slaby state he is aware of something else that is going on and stated he is not passing the buck, but he does need to speak with the Mayor about it.

OLD BUSINESS-

Mr. Fanella stated he contacted the state about our inground tank and has not had any return calls. Mr. Slaby stated that may be due to the COVID and may employees being laid off.

NEW BUSINESS-

Mr. Fanella state he will be meeting with Barry Gaverick from PennDOT to take a look at a few streets to possibly consider for paving.

ANNOUNCEMENTS

Happy Father's Day and Happy July 4th

President Robert M. Slaby stated at this time council will meet in executive session to discuss personnel matters.

Solicitor Greco stated Council met in executive session for approximately 45 minutes to discuss personnel and contractual matters

ADJOURNMENT

THE JUNE 10, 2020 MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval July 8, 2020