

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
March 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 March 10, 2021

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. Michael Sinopoli arrived at 7:08 p.m.

ABSENT: None

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Treasurer Paul Niglio, Police Chief Nathan Foust, Borough Secretary Rhonda Wilk, Supervisor Bruce Graff, Code Official Heather Owens and Fire Chief Jeff Gilotti.

OTHERS PRESENT: Larry Deklinski, Erika Noll, Donna Cesari Rompallo.

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)

Mr. Slaby stated no bids were received for the sale of the Chestnut Street lots.
Mr. Slaby stated to the best of his knowledge the parcels located on Chestnut Street in the Borough have been properly advertised with the assistance of the solicitor.

Mr. Slaby questioned council on if they would like to discuss what the next step is. Mr. Slaby questioned council on if they would like to place it with a commercial realtor or send it back to the committee for discussion.

Mr. Chesney asked how everyone feels on letting it go for another month or re-advertise at a lower price. Mr. Chesney questioned if we just go for a bid and keep the option to accept or reject all bids because we have seen on vehicle bids how extremely low the bids were in some cases.

Solicitor Greco replied this could go back to the committee to be discussed and decide. Solicitor Greco reminded Council each time you advertised it is costing the borough money.

Mr. Slaby agreed with the solicitor adding if we start advertising with other newspapers, we will pay a considerable price. Mr. Chesney agreed adding there is no need to do so, the word is out.

Mayor Bozza stated obviously we need to pay the county back and questioned how much money we owe to the county. Mr. Chesney replied \$5,800.00. Mayor Bozza questioned if it would be a good idea to have permitted off street parking.

Mr. Chesney stated we are not in a hurry to sell the lots; we just cannot have the lot abused and have people driving all around the lots. Mr. Chesney questioned Mr. Motyka the cost of the signs for the parcels. The cost of the signs was under \$200.00 for all three signs.

Mr. Dowkus suggest going to the committee and possibly discuss the permitted parking meanwhile we try to sell them.

Mr. Motyka stated he would like to see a motion to change the dates on the signs to May 12th and advertise at our April meeting, deciding on a minimum price at the April meeting. Mr. Chesney questioned if we could just say bid on it and if the bid is too low, we could reject it. Solicitor Greco stated the borough reserved the right to accept or reject all bids.

MOTION- Mr. Motyka made the motion to change the dates on the signs to May 12th and advertise at our April meeting and was seconded by Mr. Dowkus.

Solicitor Greco questioned if the motion is to switch the dates and to re-advertise. Mr. Motyka replied to send back to committee, change the dates and advertise at our April meeting. If we get a call, we will say it will be advertised in April.

Mr. Slaby questioned Mr. Motyka if he has a preference on where it should be advertised. Mr. Motyka answered, Rhonda did a lot of research and so he stated it can go to committee and we can decide at next month's meeting.

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

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated on March 27th we will regroup at the pollination garden. Mayor Bozza stated we will clean up and set the final piece on the columns. Mayor Bozza stated after we get the soil samples in, we will get the garden certified through Penn State University.

Mayor Bozza stated Chief Foust notified him some of the decals coming off the police car. Chief Foust replied they are coming off the driver side doors. Chief Foust stated they are the decals that were just repaired.

Mr. Slaby questioned if the decals were put on in Shamokin. Chief Foust replied they were originally, but after the vehicle was hit it was repaired and Pahutski put the new decals on after the doors were hit. Mr. Slaby questioned how long ago that was. Chief Foust replied last year sometime. Mr. Slaby asked the Chief if he thinks he could take the vehicle to them and see what they could do. Chief Foust replied he will take it up on Friday.

Mr. Motyka stated in addition to the pollination garden the the DEP conservation grant to finish up planting has been extended due to covid and stated we may have an update for next month. Mr. Motyka added, we don't want to lose that \$3,000.00 grant.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the regular meeting minutes from February 10, 2021.

MOTION – A motion by Mr. Sinopoli and seconded by Mr. Bielskie to approve the February 10, 2021 regular meeting minutes.

VOICE VOTE –

Unanimous

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

Rhonda Wilk stated a letter was received from Erika Noll of 745 Chestnut Street concerning the speeding of vehicles on the 700 block of Oak Street.

A letter of support regarding the YMCA was received from Justin Skavery, Northumberland County Planning Coordinator.

A letter from Tri County Cog providing information and a contact update was received.

TREASURERS REPORT – (Paul A. Niglio)

Mr. Niglio stated council received a copy of the financial statement and bills to be paid.

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

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

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he prepared an Ordinance necessary in eliminating the elected auditor's position because we utilize an independent auditor now. He stated we have been using an independent auditor that we have been paying for the last few years. Solicitor Greco stated this is routine, take it off the books and so a motion would be needed to advertise the ordinance.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Chesney to advertise the Ordinance 2021-03 to abolish the elected auditor position.

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

Solicitor Greco stated as part of the requirements for the borough project Mr. Motyka has been spearheading at the Veterans Memorial Field, there are two forms of certification needed to the state.

Solicitor Greco stated one form is a certificate of title on the property. He states we have obtained the property in 1965 from Susquehanna Coal Company and for him to sign the certificate he will need to do some title work.

Solicitor Greco stated he does not anticipate anything being on it, but for him to certify he will need to at least look at the title that there are no liens. He added he will also provide certification that the bid requirements of the project are according to law.

Solicitor Greco stated the Ordinance Committee has been looking at and questioning a burning ordinance within the borough. He stated he looked at some ordinances adopted by other boroughs. Solicitor Greco stated he thinks we could adopt an ordinance that would prohibit outside burning in the borough and adding a statement that any state or county regulation in opposition of our borough language, a most restrictive provision would prevail.

Solicitor Greco said obviously the borough ordinance would not take precedence over the state, but it clearly states if the state has something.

After some discussion it was decided by council the Solicitor will draft an ordinance for the committee to review. Mr. Chesney questioned if this is for a outside burner that burns wood to heat a home. Mr. Greco stated that is one aspect, any kind of burning outdoors.

Fire Chief Jeff Gilotti questioned if recreational burning would be included adding we currently have an ordinance for recreational burning. Mr. Dowkus stated the problem is wood burners outside and the smoke lying down, it is a big problem. Mr. Bielskie commented it is a big health problem. The Fire Chief, Jeff Gilotti stated they have only one or two problems per year. Mr. Slaby suggested the committee could review the draft and involve the Fire Chief for his input.

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2 along with the February Drug task force reimbursement submitted.

Mr. Chesney questioned if the drug task force reimbursement cancels out the district court hours for cases for here in the borough. Chief Foust replied no. The drug task force you will see each quarter we would get reimbursed for drug task force work.

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachment #3

Chief Gilotti stated there will be maintenance on the Fire Apparatus squad 221, the KME is going to Carl's for inspection and Fire Apparatus Services is coming down to look at the light tower on the KME and to look at the Stuphen engine 215. The Stuphen has been out of service for over a month for transmission issues.

Mr. Slaby asked the question concerning if the light tower issue on the KME, is this the same issue discussed by this board previously. Mr. Fanella responded, "yes." Mr. Fanella stated they were contacted, and they will be coming down tomorrow. Mr. Chesney acknowledged at the last meeting it was discussed that Fire Apparatus was going to travel down here on site to evaluate the issues.

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

Mr. Bielskie requested an executive session at the end of the meeting to discuss pending litigation.

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

Report Attachment #4

Mr. Chesney stated Heather's efforts are appreciated. He stated there are 95 citations again this month and stated now that snow is out of the way he would hope grass and garbage will be taken care of.

SERVICE AND FACILITIES – (Robert Fanella)

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

Mr. Fanella stated an estimate was received for weed control on the banks for the field along Ash Street and for the track at Veterans Memorial Field and he is working on getting additional pricing.

Mr. Fanella stated four invoices were received from Livic Civil for their services on the Fir Street project. Mr. Fanella stated the total is \$12,985.50. Mr. Fanella stated that is the total to date.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to approve and pay the Livic Civil Invoices for the Fir Street project totaling \$12,985.50.

Treasurer Niglio stated just for information this amount will be paid from the general fund. Mr. Slaby questioned if this was anticipated. Mr. Bielskie stated we will get reimbursed.

Mr. Slaby questioned if this is reimbursable. Mr. Fanella replied, “not 100%.” Mr. Motyka stated the grant was \$65,000.00 plus or minus and stated he thinks the project was \$80,000.00 and so we will have money we will need to pay either from the street fund or the general fund.

Mr. Niglio stated the general fund has a carry over and so that is why we will pay from the general fund. Mr. Bielskie asked if we need to pay for it first and then apply for it. Rhonda stated she can submit for the reimbursement once we pay these invoices.

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 need two batteries for the street sweeper for a total cost of \$270.00.

MOTION – Mr. Fanella made the motion and was seconded by Mr. Dowkus to purchase two batteries at a cost of \$270.00.

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

Mr. Fanella stated truck roof repairs are needed and we have an estimate with Option 1 and Option 2 and stated he is working on getting another quote or two on that. Council will need to decide how we want to fix the roof, just repair the bad spots, or go over everything. Mr. Fanella stated we will have that information for the next meeting.

Mr. Fanella stated we were notified by Robert Greco on the Circus coming to town on June 9th and stated there are two shows planned for 5 and 7 p.m., proof of insurance to follow.

Mr. Fanella stated last month when brooms were approved for purchase and ordered a second set was shipped to us. Mr. Fanella stated he thinks we should keep them until we need them.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Motyka to pay \$228.00 for the second set of brooms for the street sweeper.

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

Mr. Fanella stated concerning the letter requesting a sign for Children at Play for Oak Street. Mr. Fanella stated he does not have a price but feels we should purchase and install signs. Mr. Motyka questioned if they would be pole mounted. Mr. Fanella replied he would say pole mounted and thinks we should get two at least for that street. Mr. Motyka stated signs were also requested on 15th Street a year ago. Some discussion took place on the size and type of mounting, ground, or pole mount.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to purchase 4 signs not to exceed \$200.00 with committee to decide on the style.

Mr. Slaby questioned the treasurer if the purchase would qualify under liquid fuels. Mr. Slaby questioned the placement of the sign on 15th Street and discussed the location with Mr. Motyka. Mr. Slaby stated there was also a request for a stop sign in that area which we did not get to yet.

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

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to spend \$682.00 for tires for the pickup truck.

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

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to approve permission for the Circus on June 9th for shows at 5 and 7 p.m.

Mr. Slaby stated he is sure they will provide an insurance binder for the event; they have been doing this for many years. Mr. Fanella stated they will be providing the insurance information and are aware.

FINANCE/PURCHASING – (Stephen Motyka)

No report

CODE/HEALTH AND SAFETY – (Stephen Bielskie)

No report

ORDINANCE COMMITTEE - (Joseph Dowkus)

No report

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated Mr. Motyka and Mr. Fanella have met with the Kulpmont 100 again and they have acquired some additional funds and are continuing with their pursuit of beautifying the Terry Miriello Field.

Mr. Chesney questioned what the status is of the cameras. Mr. Fanella stated the borough building is done and the garage and the recycling center lot is done.

Mr. Fanella stated the Kulpmont 100 is paying for the Terry Miriello Field, there will be 12 cameras. Mr. Fanella stated that will be piped into Rhonda's computer and the police department. He stated the recycling center is only recording in Bruce's office and Heather has already gone there and utilized the cameras there.

Mr. Fanella questioned the Solicitor if violators at the recycling center violators could be posted on our Facebook. Solicitor Greco stated unless they are charged.... Mr. Fanella said with no name. Solicitor Greco stated he would prefer not. Mr. Slaby stated since there may be pending litigation, he would prefer we discuss this further in executive session and talk privately about it.

PERSONNEL- (Michael Sinopoli)

No Report

Mr. Sinopoli requested to discuss a personnel issue in executive session.

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.

Mr. Larry Deklinski asked what time the regroup at the pollination will be. Mayor Bozza stated they did not confirm a time, but he will say around 9:00 a.m.

Erika Noll thanked Council for their help with the issue on Oak Alley.

OLD BUSINESS-

None

NEW BUSINESS-

Mr. Chesney stated with the election coming up in May we will only have two sites again we have been notified. Mr. Chesney asked Council all agrees only two voting sites are needed. Mayor Bozza stated there are three precincts. Mr. Niglio stated it is not a borough issue, it is not something municipal governments have any say in.

Mr. Niglio stated it is a party thing and would need to come with a recommendation from a party. Mr. Chesney asked could we petition or amend to have two. Mr. Niglio stated the population has dropped and probably should be done and then adding he does not know if any county commissioners are going to want to do it at this point and time.

Mr. Chesney stated we had two for the general and two for the spring, that will be three elections now with two and it seems like it worked. Mr. Slaby stated however Mr. Greco suggest we could pursue it, but it will not happen in May.

Solicitor Greco stated he would think Mr. Niglio is correct, this would not be a borough issue. Solicitor Greco stated we could send a letter saying we would like you to. Mr. Slaby asked Mr. Niglio who the letter would be mailed to. Mr. Niglio replied the letter would be sent to the County Commissioners or the Election Board.

Mr. Chesney questioned if we need to advertise for a tax collector to replace Linda Nolter since she resigned. Solicitor Greco stated she did not resign; she is just not seeking reelection.

Mr. Niglio stated nobody applied for it and stated he does not know what the rules are, they may go through the party to fill that vacancy on the ticket. Solicitor Greco questioned if someone could wage a write in campaign. Mr. Niglio agreed. Solicitor Greco stated as Paul Niglio said, that is a party issue any person that is a voter and a resident they could wager a write in campaign. Mr. Slaby stated in January if there is no one the borough will need to do something.

Under Opportunity for citizen's to be heard Donna Cesari Rompallo had a late question asking if there is any possibility to resurface Fifth Street. Mr. Slaby replied her request will be taken into consideration. He further stated he understands and added there are numerous streets that need our attention.

Mr. Chesney questioned if we could talk about the cleaning. Mr. Slaby stated we will talk about that in executive session.

ANNOUNCEMENTS

Mr. Slaby stated at this time council will meet in executive session to discuss personnel, contractual matters, and possible litigation.

Solicitor Greco announced council met in executive session for approximately 50 minutes to discuss possible litigation, personnel, and contractual matters.

ADJOURNMENT

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

**Rhonda Wilk
Borough Secretary**

Approval date – April 14, 2021