

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
MARCH 9, 2022
7:00 P.M.**

Opening Prayer by Councilman Mr. Chesney
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday March 9, 2022

Roll call was taken, and the following members were present: Mayor Slaby, Stephen Bielskie, Mike Bradley, Robert Chesney, Joseph Dowkus, Stephen Motyka and Marlin Hodge.

ABSENT: none

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Treasurer Paul A. Niglio, OIC Stephen Mazzeo, Borough Supervisor Bruce Graff and Code Official Heather Owens and Borough Secretary Rhonda Wilk

OTHERS PRESENT: Joe Politza, Edwin Howerter, Brian Wiktor, Elba Arenas, Annette Welch, Bernard Novakoski, Thomas Yagodzinski and Ben Britton.

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

Thomas Yagodzinski stated he paid for a reserved parking sign fee and stated he was contacted from the bank about an overdraft fee that he will need to pay for. Mr. Yagodzinski stated he stated the lady at the bank checked on her computer and that check was not cashed for three weeks later which caused him an overdraft.

Mr. Bielskie stated he does not understand if the money was in the bank when the check was written the money should have been in the account. Mr. Yagodzinski stated he dropped the check off at the borough and the money was in the bank, and then he got a notice on February 18, 2022, and stated he went down to the bank asking how that can be. He continued to say that check was not deposited at the bank until two weeks later.

Mr. Bielskie stated it does not matter if it was two weeks or two months later, if the money was in the bank, it would be there. Mr. Yagodzinski stated the money was there until he paid all his bills. Mayor Slaby asked how that is the borough's fault. Mr. Yagodzinski replied, "she cashed it two weeks later which caused an overdraft. He stated the money was there when he wrote the check, he paid his bills including that amount.

Mayor Slaby stated if she still had that check today and it wasn't cashed..... Mr. Yagodzinski interjected saying, "then there would not be an overdraft." Mayor Slaby stated the overdraft was not caused by the borough. Treasurer Paul Niglio stated we do not deposit every day. Mr. Yagodzinski replied, "I know, every two weeks." Mr. Niglio stated she was sick during that week and wasn't here adding sometimes deposits are made longer than two weeks.

Mr. Yagodzinski stated he is now stuck with an overdraft fee. Mayor Slaby asked how much the overdraft fee is. Mr. Yagodzinski replied \$36.00. Mr. Niglio commented it is not our fault.

Solicitor Greco agreed. Mr. Yagodzinski stated "he just thought he would mention it. Mayor Slaby stated there is no need to apologize, none whatsoever. Mayor Slaby stated he is just having a hard time comprehending.

PRESIDENTS REPORT – (Stephen Bielskie)

Mr. Bielskie stated representatives from MC Federal Credit Union is here this evening and then introduced Brian Wiktor.

Brian Wiktor, Chief lending officer from MC Federal Credit Union stated they opened an office in Atlas about five years ago after FNB decided to move out of the area. He addressed Council stating they are here this evening to say they would like to sign up employee group which would give employees and families up for membership. He stated they are trying to make a commitment to this area when many larger banks have decided to move out. Brian introduced Annette Welch regional relationship manager, and Elba Arenas the chief member experience officer of MC Federal Credit Union.

Mr. Bielskie questioned what the difference between a bank and a Credit Union is. Mr. Wiktor stated a bank raises its capital through their shareholders and a Credit Union does not have shareholders, everybody that is a member has an equal vote within the Credit Union membership. Mr. Wiktor stated for instance in any given year if they make one million dollars and the bank makes one million dollars, the bank will take those million dollars and about 40% and pay it to their shareholders to invest in the bank whereas the credit union will keep that 40% in the credit union and it is turned into more competitive rates, invest in technology that sort of stuff.

He continued to say the group letter as he mentioned is just a letter stating you would like to opt in to give your employees and their families the opportunity to join. Mr. Niglio added they are asking for a letter so the employees, families and the residents of Kulpmont would be able to join. Mr. Wiktor replied, "correct." Mr. Bradley questioned if you must have an account to be a member. Mr. Wiktor replied "no." Mr. Bradley questioned if they have a mac machine. Mr. Wiktor replied, "yes." Mr. Bradley asked if there is a possibility if they will be putting a mac machine in the Kulpmont area. Mr. Wiktor's reply was they are currently looking into doing so. Mr. Wiktor stated they were started in 1954 originally Merck Credit Union and in the 1980's credit unions were able to expand, at this point they have grown to six offices. Mr. Niglio stated it is a win win situation for the residents, giving them options.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Bradley to sign letter for MC Federal Credit Union.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes),
CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

MAYORS REPORT- (Robert Slaby)

No Report

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval of the February 9 and February 23, 2022, meeting minutes is needed.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Bradley to approve the meeting minutes from February 9, and February 23, 2022.

VOICE VOTE –

Unanimous

Rhonda stated another donation for the American Flag purchase for Chestnut Street was received from Attorney Edward Greco.

Rhonda Wilk stated five letters of interest to fill the vacant council seat were received from Russell Moroz, Robert Fanella, Bernard Novakoski, Walter Lutz and Bruno Varano and were copied to both Mayor and Council.

Correspondence was also received from Kulpmont 100 requesting a donation to the organization, copied to Mayor and Council.

A letter was received from KMHJMA requesting prior approval from the Authority Manager or Chairman for authority employee help with recycling or after hour emergency calls, copied to Mayor and Council.

Correspondence was received from County of Northumberland County, HUD requirements – conducted homeless street count on February 23, 2022. Copied Mayor and Council.

A letter from Mr. Edward Christiano of the Housing Authority was received regarding the offer of \$8,000.00 to purchase 929-931 and 923 Chestnut Street parcels. Accepting the \$8,000.00 amount as repayment and notifying check should be payable to Housing Authority of Northumberland County.

Correspondence of PSAB grant updates was received from PA Sate Association of Boroughs and copied to Grants and Recreation Committee.

Correspondence was received from GHD concerning the Aqua PA Inc. – Kulpmont Phase II Watermain Replacement, Notice of Application for DEP Permit – Copied to Mayor and Council. Rhonda stated the borough will need to go over this correspondence, it will need to be signed and returned.

Mr. Bradley stated they are going to rip up the street and asked if there is any possible way, we could get the PUC involved and possibly get a gas line put in, maybe if the PUC was approached, they will do it.

Mr. Bielskie stated we have been dealing with UGI for a while now with the Get Gas Project. Mr. Motyka stated he has a contact, and he will send this whole packet to them and see if they will consider.

Mr. Bradley stated he received a lot of input from people, and they would like to have gas. Mr. Bradley stated he knows in other areas they took surveys. Mr. Bielskie stated surveys were done here, the whole town. Mr. Motyka added that post cards were sent out and it has been five years ago adding that the reason Pine Street got it was that 19 out of 20 households said they wanted gas. Mr. Motyka stated he will make contact.

TREASURERS REPORT – (Paul A. Niglio)

Mr. Niglio stated council received the financial statement and a list of bills to be paid and stated approval is needed to pay the bills. Mr. Dowkus questioned if that is excluding the one that he (Paul Niglio) was talking about before. Mr. Niglio replied “yes.” Mr. Niglio stated it may be listed as bills to be paid but it is listed under Mike’s report.

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

Mr. Chesney questioned under 321.80 the TV Cable, he stated he did not find that on any report and questioned if this is paid just one time a year \$24,228.91. Rhonda Wilk replied that is a franchise fee, the borough received that amount. Mr. Niglio added we receive that every year.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Niglio stated he provided all Council a copy of the regional police survey information that he had just completed. Mr. Niglio added Steve provided some information and he completed the financial stuff. He stated it will provide information and give council an idea of what is being spent in the police department. Mr. Niglio stated it provides a blueprint on what the costs are and what is being spent.

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he finalized the deed for Mr. Motyka and the deed should be recorded this week.

Solicitor Greco continues to say the sporadic emails concerning Mr. Valeiko lawsuit that had been pending and stated he thinks there are some depositions scheduled it is sporadic and has been pending concerning the property on Chestnut Street.

Solicitor Greco stated he has been looking into also what to do when properties are posted uninhabitable to see what the options are. He stated you worry about someone filling a claim against the Borough if we post a property. Solicitor Greco stated we don't want a challenge and stated he is looking into what some other municipalities are doing.

Mr. Motyka asked if he had a chance when we did the stormwater, Quaker Run to look into the easement, we mentioned we worried about damage when we spend that \$100,000.00. Solicitor Greco stated he will get back to him on that.

POLICE CHIEFS REPORT – (Stephen Mazzeo, Officer in Charge)

Officer Mazzeo stated he changed the format a little bit and stated he added a section of the calls the State Police refer to us by fax and stated Sgt. Zechman very graciously provided the number of calls that his people come down here. Officer Mazzeo stated the month of February they were down here 25 times which is roughly once per day.

Report attached

Mr. Bradley thanked both office Mazzeo and code officer Heather Owens for their report.

FIRE CHIEF REPORT – (Kevin O'Hearn)

Report attached.

Mr. Niglio stated under the Fire Chief Report the Squad 2212, the 2000 KME will need to go for inspection

Mr. Dowkus stated we need to have it inspected. Mayor Slaby questioned where it is going. Bruce Graff stated he believes Ashland Deiseal.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to approve inspection of squad 221 (2000 KME)

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

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 attached. Mr. Bielskie stated there are a few houses we need to keep an eye on and stated on the 500 block of Chestnut Street before the porch falls and hits somebody.

Mr. Bielskie asked if we know who owns that now. Heather Owens stated we are writing fines and stated the fines were getting paid and then all of a sudden, the mail started being returned to sender.

Mr. Bieslie stated concerning the home that was burned out, he did find out they did pay \$10,000.00 to a contractor and stated he spoke with them and is looking into if they received a cancelled check because if so, he would go after them. Mr. Bielskie stated they were charging a lot of money for the demo even with the \$10,000.00 down and we could get a local contractor for a lot less.

Mr. Niglio stated in PA if your house suffers a loss the insurance company gives the borough the money until you bring it to code and so we are sitting on a check right now. Mayor Slaby stated whatever the claim is there is a percentage. Solicitor Greco stated municipalities would have had passed an ordinance to do so.

SERVICE AND FACILITIES – (Wm. Mike Bradley)

Mr. Bradley stated food surplus will be held on March 17th from 8:00 a.m. until 11:00 a.m. He continued to say an issue is time and transportation and stated he is going to attempt to reach out to athletic teams at Mt. Carmel and Lourdes to volunteer to deliver this food and stated he wants to be sure he is not bending any rules.

Mr. Bradley stated it is once per month and possibly the cheerleaders could do one month and then athletic team the other. He stated he feels he would have support on the volunteer part. Mayor Slaby suggested to contact the boroughs insurance carrier and make sure they are covered under the borough insurance.

A quote was received from Bradco Supply Co. for cutting edges for the 2019 plow truck at a cost of \$584.00

MOTION- Mr. Bradley made the motion and was seconded by Mr. Dowkus to make the purchase for the cutting edges at \$584.00 total.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Motyka stated McClure Service Co. provided a service agreement to annually maintain the HVAC system. They will visit the site 3 times annually and change the filters and the belt and are available seven days per week 24 hours and the cost is \$1458.00. Mr. Motyka mentioned he was on the roof with McClure and the filters have never been changed.

MOTION- Mr. Bradley made the motion and was seconded by Mr. Dowkus to sign the service agreement with McClure Service Co. at a cost of \$1458.00.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

Mr. Bradley stated from what he understands the roof is not completed, they have not replaced the gutter yet on the truck room. Mr. Niglio stated that is correct and stated he received a call from HPCI and stated he needs approval to pay the whole bill, but at this point he would pay \$22,250.00 which is less \$2000.00 holding that until the gutter install.

MOTION- Mr. Bradley made the motion and was seconded by Mr. Motyka to pay HPCI in full and paying at this time \$22,250.00 holding the remaining payment until complete at Mr. Niglio's discretion.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 0 NAYS

FINANCE/PURCHASING – (Stephen Motyka)

Mr. Motyka held up a sign for the dog park donated by the Kulpmont 100 and stated the signs are donated but the hardware, concrete and poles and such are not and stated he would like to make a motion to spend up to \$300.00 for those materials.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to spend up to \$300.00 to install signs at the dog park including sign pole, concrete and cover purchase not to exceed \$300.00.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (no), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 1 NAYS

Mr. Chesney stated he would like to explain his “no,” stating that he wanted to question it, but we jumped right in.

Mr. Chesney stated he has nothing personal about the dog park but when that was brought up in the initial stages, we said we as the borough would not pay anything into it and it would be paid for by donations. Mr. Chesney stated he knows \$300.00 is not a lot, but he just wants everyone to know we said we will not be putting it in and that donations would be paying for it. Mr. Chesney stated he just wanted to remind everyone of what they had said.

Mr. Hodge stated concerning the subject of the dogs, he stated he would like to remind the citizens when they are walking the dogs down at the Veterans Memorial Field to pick up after them. Mr. Hodge stated there are dog stations down there and people are just not cleaning up after them. Mr. Hodge stated he knows there must be fines for that and stated he realizes we cannot be down there patrolling it, but people are not doing it. Mayor Slaby stated he believes you are supposed to police your dog and have the animal on a tether.

Officer Mazzeo stated that is Mt. Carmel Township jurisdiction. Mr. Niglio stated we the borough enforces all our laws down there. Officer Mazzeo he was talking with Solicitor Greco and Tony Matulewicz about that and under Federal 42 Section 8951 his jurisdiction ends at geographical limit unless the Borough purchases the property and annexes the property.

Mr. Niglio stated we own the property, the Veterans Memorial Park is owned by the Borough of Kulpmont, it is just in the Township not in the Borough, but we own it. Officer Mazzeo asked that somebody show him what we own because the day he walked in the door he was told we lease it.

Mr. Niglio stated it is in the Township, not in the Borough. Mr. Niglio stated we never annexed it, but we were given that by the Coal Company that was all Susquehanna Coal, Mr. Miriello was the spearhead of that. Officer Mazzeo stated he was told by Chief Hollenbush that it is in the Township.

Mr. Niglio replied, "it is in the Township, but we own that property." Office Mazzeo asked if we annexed it. Mr. Niglio replied, "no." Officer Mazzeo stated we need to annex it and stated after he talked to Solicitor Greco he talked to Tony Matulewicz and stated anything he does they are going to prosecute it.

Officer Mazzeo stated if we own it someone needs to let him know, because he was told by day one it was leased. Mr. Bradley stated even if we do own it would be considered private property no difference than if he owns it. Officer Mazzeo stated his understanding is we would need to formally annex it and the geographic limits in Kulpmont would extend to the Veterans Field.

Solicitor Greco stated we need to do something because if the officer makes an arrest down there and.... Officer Mazzeo stated that is a civil rights violation. Mr. Niglio stated we probably would never find anything in writing unless it was in the minutes that we got something from Mt. Carmel Township to enforce your laws, probably goes back to the late "70's".

Solicitor Greco stated he thinks if we find the deed that will give us the time frame. Mr. Hodge asked if we could give a warning or something. Officer Mazzeo stated unless we annex it, he has no authority.

CODE HEALTH AND SAFETY- (Marlin Hodge)

No Report

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated he is working on some ordinances and stated his committee will set up a meeting and then forward to the Solicitor for review. He stated other than that do not report.

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated everyone received a copy from PSAB on grants that may or will be available and some that have already started. He stated again., all of the grants need to be investigated. Mr. Chesney stated Mr. Motyka is working on one for dirt and gravel. Mr. Chesney stated the recycle grant did not open yet but once it does, we will qualify to apply for that.

Mr. Motyka stated he was contacted by Cory Johnson on the 16 million dollars ARP money and stated the commissioners are in favor of allocating \$300,000.00 to our stormwater project. He stated they like the idea of the 50/50 match and stated he thinks we have \$260,000.00 in the borough and plus our engineer included the money we have from the grant in our possession.

Mr. Motyka stated concerning the Dirt and Gravel one of our employees is going to take the course. Mr. Bradley stated Bruce Graff will be taking that course and it has been taken care of arranging help for recycling. Mr. Bradley stated someone will need to take the training or we will not be eligible for the grant. Mr. Bradley stated Bruce wasn't forced to do it, his response was he will do it for the betterment of Kulpmont.

Mr. Motyka stated we need to make sure the FEMA money is applied for they are requesting our proposal this month. Mr. Chesney asked if Justin Skavery has something to do with that or just the engineer.

Mr. Motyka stated the Kulpmont 100 was at the field Tuesday installing more fencing on the B field and stated they are still putting much time and energy in up there. Mr. Chesney acknowledged the Kulpmont 100 and stated there is a lot of volunteer work being put in up there and stated it is greatly appreciated.

PERSONNEL- (Joseph J. Dowkus, III)

Mr. Dowkus stated the personnel committee met in regard to the appointment to the vacant council position within the Borough. Mr. Dowkus stated letters of interest were received from Russel Moroz, Robert Fanella, Bernard Novakoski, Walter Lutz and Bruno Varano. Mr. Dowkus stated all the men are qualified.

NOMINATION- Mr. Motyka nominated Mr. Bernard Novakoski to fill the vacancy on Council.

President Bielskie asked if there are any additional nominations.

Mr. Chesney nominated Russ Moroz.

Mr. Bielskie questioned if there were any additional nominations. No one spoke. Mr. Bielskie stated nominations are closed.

ROLL CALL VOTE- BIELSKIE (Moroz), BRADLEY (Novakoski), CHESNEY (Moroz), DOWKUS (Novakoski), MOTYKA (Novakoski), HODGE (Novakoski)
4 Novakoski – 2 Moroz

FIRE/EMA/POLICE COMMITTEE – (Joseph J. Dowkus, III – Vice Chair)

Mr. Dowkus stated the personnel committee will meet and reach out to Mt. Carmel Township and Marion Heights Borough and stated they will see when they are able to get together. Mr. Dowkus stated so not to violate the sunshine act, the committee will meet. He stated once he finds out what days they could meet, he will go from there. Mr. Dowkus stated there is a deadline and so it will be sooner than later.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Heather Owens stated she was contacted Jeneen Beury from 1144 Poplar Street, she said she had to work and so she could not make it here this evening. Heather Owens stated she has ongoing code concerns with the neighbor's dog urinating on the sidewalk and now there are foundation concerns for the front and back entrances. She stated also with trash. Heather Owens stated she is in contact with her regularly and stated she and Mr. Bielskie have been to her address numerous times. She continued to say the gentleman was away for a period of time, he is now back and tomorrow he is supposed to address everything. Code Officer Heather Owens stated Jeneen Beury just wanted to make all of council aware of the situation.

Mr. Bielskie explained the foundation issue and stated the part of the wall on the front porch is collapsed in. He continued to say he was supposed to put a fence up, but he was then away for a while. Mr. Dowkus stated there are a few homes on that block that the porches are becoming issues.

Mr. Chesney stated the proper protocol just needs to continue to be followed, fines given and forwarded to the magistrate. Keep following protocol.

Mayor Slaby stated these people are constantly being cited, it does get to a certain level where it goes to a higher degree. Code Officer Heather Owens stated the fines are raised now and he said he will be in tomorrow to make payment arrangements and pay on the fines. Heather Owens stated we are going to work on getting the fence and the foundation, Mr. Bielskie will be more involved with the foundation because it will require inspections.

OLD BUSINESS-

None

NEW BUSINESS-

Mayor Slaby stated in the correspondence there was a solicitation from the Kulpmont 100 asking for a donation and stated he does not think the council acted on that and stated for all they do he thinks it should be considered to donate.

MOTION- Mr. Dowkus made a motion and was seconded by Mr. Bradley to donate \$300.00 to the Kulpmont 100.

ROLL CALL VOTE- BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)

6 YEAS – 0 NAYS

Mr. Motyka stated the letter concerning blight golf tournament will need to be acted on by May 25 and so we could wait until next meeting.

Mr. Chesney questioned Mr. Motyka on the \$100,000.00 spoken about earlier and asked if that was at Sixth Street. Mr. Motyka replied, “no,” and stated he is talking about the open grant we currently have and the money that he had included in the grant as a match.

Mr. Chesney also questioned if we could do anything about the impounded cars because once again, they are parking right over the drain we just fixed. Mr. Motyka stated the solicitor is looking into it. Mr. Chesney stated they cannot keep parking over it, it is going to cause problems.

ANNOUNCEMENTS

The next regular monthly meeting is April 13, 2022

ADJOURNMENT

The March 9, 2022, meeting was adjourned at the call of the Chair

**Rhonda Wilk
Borough Secretary**

Approval date – April 13, 2022