

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
May 12, 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 May 12, 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: none

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Chief Foust, Borough Secretary Rhonda Wilk, Supervisor Bruce Graff and Code Official Heather Owens.

OTHERS PRESENT: Lynn Ridner, Bill Ridner, Barry Fetterman, Jeff Gilotti and Raymond Siko.

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 two bids were received for the advertised lots for sale on Chestnut Street.

Rhonda Wilk stated the first bid was received from Kola Kramonoske from 918 Race Street, Shamokin PA, 17872 submitted a bid of \$1500.00 on parcel #929-931 Chestnut Street.

Parcel #923 Chestnut Street in the amount of \$1000.00 and a bid of \$1500.00 for parcel #941 Chestnut Street.

Rhonda Wilk stated a second bid was received from Mark Kraynak of 538 Chestnut Street, Kulpmont for Parcel #1 941 Chestnut in the amount of \$7000.00.

The Solicitor reviewed the bids and a motion was made.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Chesney to accept the bid submitted by Mark Kraynak for 941 Chestnut Street in the amount of \$7,000.00.

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. Chesney to reject all other bids.

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 last week he and the Chief Foust met with Mr. Walter Lutz before he went on his endeavor to raise money for a fire truck and stated Mr. Lutz asked for his support to which he stated he agreed and then stated if anyone is interested in donating there is a go fund me page, a member of the Kulpmont 100 and could reach him there.

Mayor Bozza stated the Community Yard Sale will be held in the borough on June 19th from 8 a.m. until 3 pm and a rain date of June 26th 8 am to 3 pm.

Mayor Bozza stated the Car Cruise is being planned for June 20, 2021 with a rain Date of June 27, 2021 2 pm until 2:30 pm. Mayor Bozza questioned if we will need to vote on that to give permission.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Sinopoli to grant the Car Cruise organization permission for the car cruise for dates specified.

VOICE VOTE –
Unanimous

MOTION- Mr. Chesney made the motion and was seconded by Mr. Sinopoli to grant the American Legion Permission for Memorial Day Parade and Services to be held.

VOICE VOTE
Unanimous

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed for the regular meeting minutes from April 14, 2021.

MOTION – A motion by Mr. Dowkus and seconded by Mr. Bielskie to approve the April 14, 2021 regular meeting minutes.

VOICE VOTE –

Unanimous

Rhonda Wilk stated correspondence was received from the PSAB in regard to the 2021 Virtual Conference Experience June 7 & 8, 2021 and was copied to the Mayor and Council.

A letter was received from Gary Pochakilo regarding a clearance issue on the 800 block of Oak Street and copied to both Mayor and Council.

Northumberland County Tax Claim Bureau Upcoming Judicial Sale and copied to both Mayor and Council.

Mr. Chesney commented three of the properties listed are part of the Mill and the other is an individual residence on Chestnut Street. Mr. Slaby stated the day will come when Kulpmont Borough Council will need to deal with the Mill, it is deteriorating.

Mr. Slaby stated action needs to be taken stating he does not know what, but something needs to be done. Mr. Slaby suggested we be proactive and look into doing something now before it becomes unsafe. Mr. Chesney agreed and stated he feels they have been effective in removing dangerous chemicals and having the chimneys taken down. Solicitor Greco stated this property could be sold which would divest all liens that have been put on including DEP liens.

Mr. Slaby asked if he is saying to wait until we get past the judicial sale, so we do not lose our position. Solicitor Greco agreed and stated this property could be sold after July and if you look at the schedule we would need to file. He continued to say this property could be acquired so we could make a bid on it. Solicitor Greco stated in August it will go to judicial sale. A brief discussion took place on current fines being issued on the property.

Joe Cesari in regard to the car cruise – June 20, 2021 with a rain date of June 27, 2021 and copied to both the Mayor and Council.

A letter was received from Michael Humphrey Sr. concerning a large tree at 715 Chestnut Street and copied to both Mayor and Council.

Faith Alliance for Revitalization submitted correspondence concerning an event to be held on May 15th from 10 am to 4 pm for metal recycling and used clothing in Shamokin, copied to both Mayor and Council. Rhonda Wilk stated the information is posted on the Borough website.

A letter was received from Sam Olear concerning a 90ft. tree in the yard of 715 Chestnut Street, copied to both Mayor and Council.

Daniel Ziegler also sent a letter concerning the tree at 715 Chestnut Street and was copied to both Mayor and Council.

Mr. Slaby stated he feels the letters received addressing the concern about the tree on Chestnut Street, he stated he understands but feels this is a civil matter. Solicitor Greco agreed. Mr. Slaby stated the tree is on private property. The Code Officer Heather

Owens discussed with the owner the concern with the wind and the hazard that exist. She stated he looked into cutting the tree before, but he was informed this tree was the oldest tree in Kulpmont by some committee and stated if we could give him something in writing he will have the tree removed.

Rhonda Wilk stated we received correspondence concerning a recycling event to be held in Shamokin and stated the information for that event has been posted on the Boroughs Facebook.

PSAB – American Rescue Plan Act Action steps was forwarded to Mayor/Council and the Treasurer.

Dave Shinskie sent a letter in regard to the Memorial Day Parade and Serve May 31st and was copied to both Mayor and Council.

Bruce Graff and Mr. Slaby engaged in a brief discussion on which streets are to be posted for the Memorial Day Parade.

TREASURERS REPORT – (Paul A. Niglio)

Mr. Niglio stated the report is attached and list of bills to be paid for approval.

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 met with the Ordinance Committee on review of the Quality of Life Ordinance and found some clarifications were needed and stated he provided a draft copy. He stated this will make it more understandable and make it a little easier for enforcement purposes and understandable for the violation section.

Solicitor Greco stated there is minimal tweaking needed and he will put a draft together. Solicitor Greco stated he feels a motion could be put forward to advertise.

Mr. Chesney questioned the Solicitor on the difference between a ticket and a citation. Solicitor Greco explained a ticket is a form issued by a police officer or public employee to a person who violates a provision of this ordinance. He continued to say the violation is an offer by Kulpmont Borough extended to pay a fine in lieu of a citation. Solicitor Greco explained it is almost like a sweeper ticket, you must pay that promptly or the penalty goes up.

Mr. Chesney reminded landlords to remember if a tenant is in violation and is ticketed and does not take care of it the landlord will also be ticketed.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Bielskie to advertise the Quality of Life Ordinance.

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

Solicitor Greco stated part of the project at the Field requires a certification of the bidding and stated he spoke to Mike Brinkash and we are not quite ready to get that certification in place, once that gets moving to the point he stated he will be certifying that and providing that. Mayor Bozza questioned if that is for the restrooms. Solicitor Greco replied “yes.”

Mr. Motyka questioned if he received any draft of the potential for the community zoning. Solicitor replied he did not. Mr. Motyka asked Rhonda to forward that on for the next meeting. Solicitor Greco then stated he is familiar with the proposal. Mr. Motyka replied it is two documents.

POLICE CHIEFS REPORT – (Nathan Foust)

Police Report Attachment #2

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Sinopoli to accept the report.

VOICE VOTE –
Unanimous

FIRE CHIEF REPORT – (Jeff Gilotti)

Fire Chief Report Attachment #3

Mr. Motyka questioned if council has a decision on the request from the fire department to place a storage shed along the building. Mr. Motyka stated his only recommendation is that the roof pitches away from the building.

Mr. Sinopoli stated he met with Matt about that and it will pitch away.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to permit the fire department to place the storage unit along the building.

Fire Chief, Jeff Gilotti stated concerning the roof on the fire truck room. He stated that roof has been on there since 1990 and stated the roof has been leaking in four or five different spots. He stated it has been leaking for some time that it has caused rot and mold between the two buildings. Mr. Slaby assured Chief Gilotti the matter will be discussed later in the meeting.

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

Raymond Siko asked the Council as members if they have any attention to start charging the firefighters rent for the station. Mr. Chesney stated that has not been anything brought up that he knows of. Mr. Slaby replied to Raymond Siko stating he does not know what he is talking about. Mr. Siko asked if he could then debunk that one. Mr. Chesney replied, “sure.”

Ray Siko stated it has been brought back to them that the Borough has control of the fire department money and stated that is not true. He stated he has been here 39 years and don't need to come to the Borough and ask permission to spend department money. He stated he assured them to continue doing what they are doing, checks and balances.

Mr. Slaby asked to stop there and then asked Mr. Niglio, the Treasurer is somehow they answer to the Borough. Mr. Niglio then stated who does the Fire Company answer to and stated for public knowledge there is no transparency, audit or checks and balancing. He stated we don't file anything.

Solicitor Greco stated it is not public funds adding the Borough contributes and would like to think it is a very small part. Mr. Niglio stated the Fireman Relief Funds come from the Attorney General.

Mr. Niglio stated he is involved with the Brady Fire Company and the pandemic has changed many things. Mr. Niglio stated they do these online things involving thousands of dollars and somewhere along the line someone like the Attorney General will start looking at these things.

Fire Chief, Jeff Gilotti stated if you are referring to the online raffles they are audited through the small games of chance and stated you need a small game of chance license to run online raffles.

Mr. Niglio stated he files the report for small games of chance that information is not included on the report. Mr. Niglio stated what they are running online has nothing to do with the small games of chance. Jeff Gilotti then said, “you are doing it wrong then.” Jeff Gilotti said you must give the total number including and added he knows that and said he does it for another organization.

Raymond Siko he would like to say if someone is going to have a bash or a bitch session he said he is going to give some worthwhile advice and then said make sure you don't accidentally dial a phone number that has an answering machine on it. Ray Siko stated about 45 minutes to an hour worth of it. He stated he is offering this to anybody and said if anyone wants to bitch about the fire department, volunteers or staff to give him a call, he will be more than happy to listen.

Ray Siko stated he has been on this Groundhog Day for 39 years and he will be glad to sit down. He said that is his advice and then said watch those cell phones, they are everywhere you might accidentally dial a number.

Mr. Chesney asked the question if the borough ever established that a monthly financial report should be submitted to the borough on financial standings. Ray Siko stated they never have before and stated they are open, and Mr. Lutz tried this before, he came in and looked at three handwritten books since 1992. Mayor Bozza questioned why we would want it and stated as Mayor he trusts them. Mr. Chesney stated it is nothing about trust, it is just a question on if they need to give a report on financial standings to the council. Ray Siko funding like maintenance of the vehicle, fuel all that automatically comes back to the borough and you know where that money is going. Solicitor Greco stated to his knowledge we do not have any requirement that they report to us. Solicitor Greco questioned Mr. Niglio on the time he has been here if he has seen any reports. Mr. Niglio replied “no.”

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Mr. Bielskie stated concerning the roof, he has approached HPCI and stated it did come through \$22,450.00 and questioned if we need to bid it at that point. Mr. Slaby stated that is correct because it would be over the threshold. Mr. Motyka stated we would then need the engineer to draw it up and provide specs to put it out for bid.

Treasurer Niglio stated there is some Pandemic money we may receive that may or may not be used to replace the roof. Mr. Slaby stated he is not one for blowing the budget, but this is a necessary expense and something that will need to be addressed.

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Bielskie to engage the engineer to draw up specs for the roof repair.

Mr. Motyka stated engineering is a professional service do we need a roll all for that. Solicitor Greco replied, “we are still spending money and so we need a roll call.”

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

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

Report Attachment #4

Mr. Slaby stated he would like to personally say to Ms. Owens to continue to do the job that she does and stated when an initial ticket is issued and through no fault of her own it gets dismissed through the magistrate, through no fault of her own, just keep doing the job that you do.

SERVICE AND FACILITIES – (Robert Fanella)

Food Surplus Distribution will be held on May 20nd, the hours for the distribution will be reduced to three hours to be held from 9 AM until 12 Noon at the borough garage.

Mr. Slaby questioned if surplus begins at 8 a.m. or 9 a.m., Mr. Fanella replied 9 a.m., only three hours are needed. Mr. Fanella stated we are changing it to 9:00

Mr. Fanella stated three parking signs are needed.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to spend \$58.50 for three signs.

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

Mr. Fanella stated he would like to meet with Barry to look into paving one, possibly two streets. He stated if council agrees, he will contact Barry to take a look at the streets. Mr. Chesney questioned how it is determined what streets to pave, there are so many. Mr. Slaby stated in the past it would be the Chairman of Service and Facilities and the street supervisor to look at it. Mr. Niglio stated we do have \$90,000.00 freed up to do some paving since funds were able to be secured to help pay for the Fir Street project.

Mr. Chesney expressed his pleasure with the red stone that was installed at the Terry Miriello field. Mr. Fanella commented the stone was purchased from the \$10,000.00 set aside for the improvements at the Terry Miriello Field.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to spend up to \$200.00 to put some topsoil and grass seed at the bridge.

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 shared some pictures with council on the new project but there was some concern over the steep drop off.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to spend \$1000.00 on guardrail to be installed by the borough workers and himself by donating his time.

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

FINANCE/PURCHASING – (Stephen Motyka)

Mr. Motyka stated concerning the request from Marion Heights for the recycling, he asked Rhonda to contact our recycling grant coordinator and see if that would be an option and report it back so that it could be discussed at the next meeting. Mr. Motyka

stated the man hours and cost, it will not be easy to figure out. Mr. Fanella stated they were approached to discuss with Marion Heights what is expected and what they are looking for.

Mr. Slaby questioned if this will be our manpower and truck use up there. Mr. Motyka replied, "that is correct." Bruce Graff stated they lost their bins because of the wrong materials in there.

Mr. Fanella stated we need to look at our cameras more often. Jeff Gilotti stated the bins should be inspected every day and then you would be able to narrow down the camera footage making it a lot easier to go through.

Mr. Motyka stated we will need to replace a broken pet waste dispenser. Mr. Fanella stated that is already done, the K100 was the original purchaser and so through the warranty they have they are having it replaced and it is on the way.

Mr. Motyka stated as part of the storage shed install up to the locks had to be switched out and we had to have keys made at a cost of \$136.00.

CODE/HEALTH AND SAFETY – (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (Joseph Dowkus)

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Sinopoli to adopt Ordinance 2021-04

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

Mr. Dowkus asked Solicitor Greco if he could define what an ordinance is. Solicitor Greco replied it is a law adopted by the municipality of what can or cannot be done.

Mr. Dowkus asked the Chief and the Mayor for corporation in helping out with some of these issues when Heather is not on duty and going after some of these people. Chief Foust replied, "the Mayor and he will talk about it."

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated on the Fir Street project, the grant we got was \$44,455.00 and the price then ballooned to \$90,649.50. He stated after meeting with Senator Gordon and Representative Masser we are very fortunate to have their help in obtaining additional funds in the amount of \$50,000.00 which will also pay for the cost of the guardrail or barrier we spoke about.

Mr. Chesney reported the blight meeting went well in Shamokin and stated Ordinances would be on record in the County Courthouse. He briefly discussed the importance on being consistent.

Mr. Chesney stated he did confirm with Rob Gretza that we are getting that money, \$270,000.00 adding it is still foggy as to what it could be used for. Mr. Chesney stated infrastructure and roads are out. Mr. Chesney stated if they are saying it could be used for emergency personnel, possibly it could help with the roof on the fire department truck room.

Mr. Chesney stated he and Heather recently attended a blight meeting in Shamokin which went well. Mr. Chesney stated our Ordinances must be on record at the County Courthouse. Mr. Chesney stated it all comes down to money and we need to be persistent, which Heather is in writing tickets which turn into citations. Mr. Chesney stated both magistrates attended the meeting and are willing to help us as much as they can. Mr. Chesney stated the blight meeting went well.

Solicitor Greco stated there was a memorandum of understanding to be signed and all that is saying is to test the water. Mr. Chesney stated the three communities met and stated Justin Skavery is spearheading that meeting and the location to be decided. The grant is a 50/50 situation.

Solicitor Greco stated all the memorandum is saying is the parties are willing to work together.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Motyka to sign the memorandum of understanding to work together in exploring regional zoning.

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

PERSONNEL- (Michael Sinopoli)

No Report

FIRE/EMA/POLICE COMMITTEE – (Robert Fanella)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Corrine Klose questioned the support of the members of Council on Walter Lutz fund raiser the Mayor was talking about. Mr. Slaby stated he does not think council has enough info to act as a body. Mr. Chesney stated the Mayor indicated Mr. Lutz is doing this walk and anyone donations could be made to a Go Fund Me page that was set up or the K100 in support of his quest

Corrine Klose questioned what plan council has now, the former council had buildings taken down.

Mr. Chesney stated a solid individual purchase the property next to Archies and stated that is great news, this was a blighted property and a concern. Mr. Chesney stated blight will be on the list of priority.

Stephanie Niglio questioned when speeders will be addressed in the borough. Mayor Bozza and Police Chief Foust stated speeders in the Borough are always addressed, manpower can only be stretched so far. Mayor Bozza stated he is willing to sit down with anyone with better ideas.

Ron Dean questioned if Council has ever discussed an ordinance of light pollution and intrusion. Mr. Dowkus stated it is something we will need to research, and we will go from there.

OLD BUSINESS-

Mr. Motyka thanked everyone that helped and was involved with the earth day clean up, 70 volunteers, Mt Carmel Football team players that showed up and thank you to Bruce for being involved in the cleanup and stated there is more to come.

NEW BUSINESS-

Mr. Motyka stated American Legion is organizing a clean up of their property from 9 a.m. until noon this Saturday. Mr. Motyka stated they are letting us use it for baseball games and stated this is something nice to do for the Veterans.

Mr. Motyka stated the K100 has raised a lot of money for the dog park and they are still accepting donations, there is probably \$6,000.00 aside for that. Mayor Bozza questioned how much is needed for that project. Jeff Gilotti replied the amount needed for the total project is \$8,000.00 to \$9,000.00.

Mr. Slaby questioned if we did set money aside for that project prior. Mr. Motyka replied there was \$2,500.00 received from Weis Markets that was used as seed money for that project to start. Mr. Slaby stated he recalled money sent to the West End for a project and returned to the borough. Mr. Chesney replied that money was set aside and being used for the improvements at the Terry Miriello Field.

Mr. Chesney questioned council on considering having our workers push the brush line in by the gate just to open that up for parking and to clear that out, opening it up. Mr. Niglio commented that is Legion property. Council members replied the Borough has an easement. Mr. Chesney questioned if council would agree to just push back the bush there to open that up. Mr. Slaby questioned if anyone would have any objections to Mr., Chesney coordinating with Bruce to do this.

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Chesney to coordinate with Bruce to have the borough workers push back the brush beyond the gate opening up the parking lot.

VOICE VOTE –
Unanimous

Mr. Chesney stated a resident of the Borough questioned concern over making a street for no left turns. A discussion took place and the Solicitor stated a traffic study would need to be done. Mr. Chesney stated he is just mentioning a concern.

ANNOUNCEMENTS

Happy Father's Day

Congratulations to the area Graduates

Mr. Chesney mentioned congratulations to our Mount Carmel graduate on her accomplishments at Bucknell Mount **Carmel grad** and **Bucknell** senior Maura Fiamoncini qualifies for U.S. **Olympic** trials in javelin ... is getting ready to take on a new challenge in June.

Mr. Slaby stated Council will now meet in executive session to discuss possible litigation, contractual and personnel matters.

Solicitor Greco stated council met in executive session for approximately 30 minutes to discuss possible litigation, contractual and personnel matters

ADJOURNMENT

The May 12, 2021 meeting was adjourned at the call of the Chair

Rhonda Wilk
Borough Secretary

Approval date – June 9, 2021