

**KULPMONT BOROUGH COUNCIL  
REGULAR MEETING  
NOVEMBER 10, 2015**

Opening Prayer by Councilman Joseph A. Winhofer  
The Pledge of Allegiance to the Flag by body present, Kulpmont Borough Council held  
its regular monthly meeting Tuesday November 10, 2015.

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

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

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

**OTHERS PRESENT:** Keith Tamborelli, Joe Politza, George Malakoski, John Grinaway, Shannon Grinaway, Barry Fetterman and Mike Staugaitis.

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

No one spoke.

**PRESIDENTS REPORT** (Bruno R. Varano)

Mr. Varano states that he spoke to Joe Cesari the other day and that Joe Cesari has earmarked \$2,000.00 for sidewalks in the spring and they want to replace some of the mulch.

Mr. Varano states that once the new sidewalks are put in they have two picnic tables worth approximately \$800.00 each that they will put in. Mr. Varano adds that they will be put in when the new sidewalks are in so that they can be chained down and states that he cannot blame him for that.

Mr. Varano states that he, Clarence Deitrick, the Mayor and Russ Moroz met last week with the Kulpmont Fire Company #1 and states that they met all of their criteria and states that they recommend that their grant, allotment or whatever it is that you would like to call it for the year.

**MOTION-** Mr. Deitrick made the motion and was seconded by Mr. Bozza to release the grant for the year.

Mr. Varano states that it would be \$4,000.00. Mr. Varano states that until we get ownership of the building it will be about mid December.

Treasurer Paul A. Niglio Jr., directed a statement to the Chairman, Mr. Varano that at the present time we are a little short on cash and so that at the present time he states that he will give a check for \$2,000.00 and hopefully by the end of month or early next month they will get the additional \$2,000.00.

Mr. Varano comments that he is sure they will be happy with that.

Mr. Scicchitano questioned who the check was written out to.

Mr. Niglio replied that it is made out to Kulpmont Fire Company #1.

Mr. Scicchitano asked if they had all of the paperwork.

Mr. Varano replied that they reorganized; they have officers and a Tax ID number.

Mr. Deitrick states that the reason that we are short on money right now is we just got a DEP grant this year and we purchased a new dump truck and recycle bins and states that we are waiting on that reimbursement of about \$60,000.00 alone.

Mr. Deitrick asked Mr. Niglio if we are waiting on the reimbursement for the police car also.

Mr. Niglio replied yes.

Mr. Deitrick states that's \$18,000.00 alone, you're looking at \$70,000.00, \$80,000.00 that will be in our coffer as soon as the money is released.

Mr. Niglio stated that probably will not be until next year.

Mr. Deitrick replied that should not have anything to do with this year's budget because that was 2014 budget money.

Mr. Niglio answered no, it is called cash flow.

**ROLL CALL VOTE**- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (no), VARANO (yes), WINHOFER (yes)  
6YEAS – 1 NAYS

**MAYOR REPORT** (Bernard Novakoski)

Mayor Novakoski states that he is still working on the special police force. The Mayor announced for everyone to drive safe with the Holidays coming up, be careful and no DUI's.

Mayor Novakoski wished Mr. Varano a Happy Birthday. Mr. Varano thanked him and also wished a happy birthday to the Marine Corp., and states that it is their 240<sup>th</sup> birthday this year and states that he celebrates with them every year.

**SECRETARY REPORT** (Rhonda Wilk)

Rhonda states that approval is needed from the October 13<sup>th</sup> and the October 27<sup>th</sup> meeting.

**MOTION-** Mr. Bozza made the motion and was seconded by Mr. Deitrick to approve the meeting minutes from the October 13<sup>th</sup> and the October 27<sup>th</sup> meetings.

**VOICE VOTE-**

Unanimous

Rhonda Wilk stated that correspondence was received from PMHIC Health Insurance concerning agreement amendments to be accepted by the borough, copied to the Finance Committee and the Solicitor.

**MOTION-** Mr. Deitrick made the motion and was seconded by Mr. Bozza to accept the agreement on the amendments for the health insurance through PMHIC.

Mr. Varano states that the Solicitor did look at this and Mr. Cole added that the agreement was passed at the sewer authority as well.

**ROLL CALL VOTE-** BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (YES), VARANO (yes), WINHOFER (yes)  
7YEAS – 0NAYS

Rhonda Wilk states that a letter was received from KMHJMA concerning the term of Myron Turlis is expiring and states that letter was copied to Mayor and Council.

Mr. Deitrick states that Myron Turlis told him right out that he is not seeking re-appointment for a new term and adds that the reason being he is busy with his business.

Mr. Varano states that we will be accepting letters of intent from anybody wanting to be appointed to the board and states that the appointment can then be made at the next meeting.

Rhonda Wilk states that a letter was received from USDA dated November 6, 2015 and was copied to Mayor and Council.

Mr. Varano states that letter was basically the authorization to advertise the project to bid for the East End Building.

**TREASURERS REPORT** (Paul A. Niglio, Jr.)

Mr. Niglio states that everyone received a copy of the financial report attachment #1 and a motion is needed to approve it and pay the bills.

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

**ROLL CALL VOTE**- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (YES), VARANO (yes), WINHOFER (yes)  
7YEAS – 0NAYS

Mr. Niglio states that he prepared the tentative budget for 2016, which is basically the same as last year and states that the changes that you will see show the redistribution of insurance and the unemployment compensation cost to the categories that they should be at; there were some increases in those categories, police liability went down about \$7,000.00.

Mr. Niglio states that right now the General Fund stands at receipts of \$2,139,420.00 and expenditures of the same and that of course includes the 1.47 million which is the USDA loan and of course we are not going to use all of that but it is in there simply because we signed that agreement.

Mr. Niglio states that the Highway fund is receipt funds available of \$86,360.00, the expenditures the same.

Mr. Niglio states that the Police Pension Fund is funds available of \$329,600.00 with expenditures of \$20,500.00 leaving a fund equity balance of \$309,100.00.

Mr. Niglio states that of course this budget will be fine tuned for the next meeting but it can be re-opened by the new council in January.

Mr. Niglio states that a motion is needed to accept the tentative budget.

**MOTION**- Mr. Deitrick made the motion and was seconded by Mr. Bozza to accept the tentative budget for 2016.

**ROLL CALL VOTE**- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (YES), VARANO (yes), WINHOFER (yes)  
7YEAS – 0NAYS

**SOLICITORS REPORT** (William C. Cole)

No Report

**POLICE REPORT** (Chief Michael Pitcavage)

Police Report attachment #2

**FIRE CHIEFS REPORT** (Jeff Gilotti)

Fire Chiefs report attachment #3

**EMERGENCY MANAGEMENT** (Kevin O'Hearn)

No Report

**BUILDING INSPECTOR REPORT** (TRI County COG)

Building inspector report attachment #4

**CODE/HEALTH ENFORCEMENT OFFICERS REPORT** (Russ Moroz)

Code enforcement report attachment #5

The code officer Russ Moroz stated that the 2016 Landlord registration is due on December 31<sup>st</sup> and states that all landlords must register and provide to him a copy of the insurance on the property, paid sewer bill and a paid tax bill.

Russ Moroz states that there will be letters sent out and states that he would like to ask council about opening the office up for a couple of hours toward the end of December on a Saturday for somebody that needs to come in and pay.

Mr. Scicchitano questioned Russ Moroz if the letters were sent already or not.

Russ Moroz states that they were not and adds that they will be sent later this week and next week. Russ Moroz states that they have to pay by December 31<sup>st</sup>.

Mr. Varano questioned if in the letter he was going to remind them of the penalties that are involved if they do not meet the registration deadline.

Russ Moroz replied yes he will and if they do not meet the deadline the penalty is \$100.00 per day.

Mr. Varano said that they will not be given any extra time this year.

Mr. Deitrick directs a question to code officer or the Solicitor and asks if we can mandate landlords to do background checks and states that they should be doing it on their own so that they do not put the wrong people in there but asks if that is something that can be mandated.

The Solicitor William C. Cole states that the ordinance already does require that they provide names and other personal information and then we amended the ordinance to provide the issue of anybody having any felony drug conviction.

Mr. Cole adds that even if they were potentially required to do that if they did not fall under that section of the ordinance it would not necessarily.....Mr. Deitrick states that you are probably right but if I were a landlord I would certainly want to do a criminal background check on somebody before I put them in.

Mr. Cole states that of course they would have to agree for that to occur.

Mr. Niglio asks the code officer if they provide the names of the tenants are.

Russ Moroz states that yes they do.

Mr. Niglio states that at this point and time our per capita taxes are down and states that he is sure many of these renters are not on the tax rolls.

Mr. Niglio states that there is not local assessor anymore.

Mr. Deitrick states that he remembers the tax collectors looked at graduations and everything also and added that he wonders if that is even getting done.

Mr. Niglio states that was done by a tax assessor and we do not have one anymore.

Mr. Deitrick asks how does that happen then, because there is probably many and asks how we do it then.

Mr. Niglio states that is why he mentioned that.

Mr. Deitrick replied yes that would be for the landlords but what about the graduates and all. Mr. Varano added that most graduates are students anyway.

Mr. Deitrick replied half of them and the others get jobs.

**PERSONNEL COMMITTEE** (Phillip Scicchitano)

No Report

**SERVICE/FACILITIES COMMITTEE** (Nicholas Bozza)

Mr. Bozza states that the food surplus distribution will be held this month on November 19<sup>th</sup> at 8:00 a.m. until 12 noon.

Mr. Bozza questions that since they are done paving do we now have to make a motion to pay for it.

Mr. Deitrick asked if it was inspected. Mr. Niglio states that as long as it was inspected and you sign off on it we can pay it.

Mr. Deitrick questioned with the oil being down if we came in under budget on that. Mr. Niglio states that bill is \$37,000.00. Mr. Bozza states that it was just about what they said it was going to be.

Mr. Bozza states that on the 2003 dump truck the sub-frame is shot and we cannot get it inspected and that is one of the trucks we use to plow. Mr. Bozza states that it needs welded and some new parts and you are looking at a cost of anywhere from between \$1800.00 to \$2000.00 to fix.

Mr. Deitrick states that we have to bite the bullet and get it done somehow. Mr. Bozza states that well, talking with the treasurer, I do not know.

Mr. Niglio states that as you can see the highway fund is in the negative balance and states that he does not get any funds until March. Mr. Niglio states that the bill would have to be paid out of the General Fund and we cannot get reimbursed for it and states that he cannot take it out of the highway fund if that expenditure is made this year.

Mr. Deitrick asks what happens if we have a major snowstorm, then we are up a creek.

Mr. Niglio states that he recommends waiting until January and states that he has never been in this situation.

Mr. Deitrick asks if we have a plow on the pickup. Mr. Bozza states that we could probably plow with it we just cannot put any salt on it. Mr. Deitrick states then that is good for now, we can survive that way then.

Mr. Bozza states that it is not good because if we need salt. Bruce Graff questions what about driving around without inspection.

Mr. Deitrick asks when inspection runs out. Mr. Bozza replied this month. Mr. Deitrick asks why we just found this out now. Bruce Graff replied that he took it down two weeks ago and he found out. Mr. Varano states that we are not going to give ourselves a ticket. Mr. Deitrick states we can't drive it. Mr. Bozza states that we can drive it. Mr. Deitrick states that you cannot drive it without inspection and asks what if it's in an accident, the liability is too much.

Mr. Niglio states that at the next meeting we can reassess the situation.

Mr. Deitrick questioned if we could use the pick up truck and asks if we have a plow on that. Mr. Bozza states that you can't plow with a pick up. Mr. Deitrick questions if we can plow with it during a light snow and states that he is just looking for alternatives to help out some. Mr. Bozza states that he will talk to Turk and see if we can work

something out. Mr. Scicchitano suggests talking to him and seeing if we can be billed on January 1<sup>st</sup> and states that he knows it will not be a problem with him. Mr. Bozza states that is what we will do.

**FINANCE AND PURCHASING COMMITTEE** (Stephen Motyka)

No Report

**CODE/HEALTH/SAFETY COMMITTEE** (Philip Scicchitano)

No Report

**ORDINANCE COMMITTEE** (Stephanie Niglio)

Mrs. Niglio states that Ordinance 2015-02 the Street Excavation Ordinance and the 2015-03 the Building Permit Ordinance have been advertised and states that a motion is needed to adopt the 2015-02 and the 2015-03 Ordinances.

Mrs. Niglio states that we have to call for a new motion to adopt this ordinance because the time limit ran out on us while waiting on the additions from PennDot.

**MOTION-** Mrs. Niglio made the motion and was seconded by Mr. Deitrick to adopt the 2015-02 Street Excavation Ordinance.

**VOICE VOTE-**

Unanimous

**MOTION-** Mrs. Niglio made the motion and was seconded by Mr. Deitrick to adopt the 2015-03 Street Excavation Ordinance.

**VOICE VOTE-**

Unanimous

**MOTION-** Mrs. Niglio made motion and was seconded by Mr. Deitrick to advertise the Landlord Ordinance 2015-08.

**VOICE VOTE-**

Unanimous

Mr. Deitrick questions the code officer Russ Moroz if he will be sending a note in the letter to let the landlords know that we have a new landlord ordinance so that they could pick up a new ordinance if they wish.



Mr. Varano states that it is pretty much the same ordinance with a few tweaks. Mr. Deitrick states that the little tweaks could make a difference, just so that they are aware of them.

**GRANTS AND RECREATION COMMITTEE** (Clarence H. Deitrick)

Mr. Deitrick states that he and Mr. Motyka met with Shamokin Creek Restoration Association and also the Northumberland County Conservation District and states that they would like to team up with us on shared grants to restore Quaker Run that runs along Veterans Memorial Field.

Mr. Deitrick states that they would like to restore that to its original beauty where there is actual water running through the creek and they would also like to plant trees along the creek and put some park bench's down there.

Mr. Deitrick states that they would like to get approval from council to work with them on shared grants.

**MOTION** – Mr. Deitrick made the motion and was seconded by Mr. Bozza to work with SCRA and Northumberland County Conservation District on shared grants for at the Veterans Memorial Field.

Mr. Varano questions if this will cost the borough anything.

Mr. Deitrick replied it will not.

**VOICE VOTE-**

Unanimous

Mr. Motyka states that he is meeting again with them on Thursday morning at 9:00 a.m. to discuss some of these other options if any members of council would like to attend.

Mr. Varano questions if it will be held at the borough office. Mr. Motyka states that it will be held at the Borough office.

Mr. Deitrick states that Atlantic Sunrise Oil Pipeline gave grants out and we received a \$10,000.00 grant from them to help with the cost of that sinkhole on 6<sup>th</sup> Street by the Sportsman's Club.

Mr. Bozza questions if it was 10 or 5.

Mr. Deitrick states that we received \$5,000.00 originally and states that we did get that through Atlantic Sunrise with help through Rep. Masser and Senator Gordner.

Mr. Deitrick states that we got \$15,000.00 total and states that at this time we do not have the additional \$10,000.00.

Mr. Deitrick states that on the \$10,000.00 grant there is a form to fill out on when we will start the project and when we will finish it.

Mr. Deitrick states that as all of you know until that is torn up it could cost \$30,000.000 to \$100,000.00 depending.

Mr. Bozza states that he disagrees and states that he would say \$20,000.00 to \$30,000.00.

Mr. Deitrick states that is not what everyone was saying.

Mr. Varano questioned Mr. Bozza and said that he thought that he said that was not going to come in under \$30,000.00.

Mr. Bozza states that he said \$20,000.00 to \$30,000.00 and commented that is what he thinks.

Mr. Varano states that you don't know it depends on the pipe that needs to be replaced; it could be the whole length.

Mr. Motyka states that if you do not know the scope of the project how could you even get a price for it.

Mr. Deitrick states that when we did 8<sup>th</sup> Street, about 400 feet, that was almost \$100,000.00.

Mr. Deitrick states that this job could be anywhere from 20 ft. to 100 ft. if you have to replace from Chestnut Street down to the inlet at the end of the Sportsman's Club and we don't know that until we tear it up. Mr. Winhofer states that he is against spending a dime on that project. Mr. Bozza states that he agrees. Mr. Winhofer states that it is a state highway and he does not think we should spend a dime. Mr. Deitrick states that unfortunately it is in the PennDot bylaws or whatever you want to call it. Mr. Winhofer stated that PennDot is not a rule making.....Mr. Deitrick states that we talked with Senator Gordner and Rep. Masser and it is in their rules. Mr. Winhofer states that PennDot cannot make rules to force upon us. Mr. Deitrick asks if congress does not have to approve the PennDot rules. Mr. Winhofer replied that he doubts it. Mrs. Niglio suggests telling them to change their manual. Mr. Deitrick states that it is in their manual that all storm water pipes and inlets on the borough right-away is the boroughs.....Mr. Winhofer interjects to get rid of the pipe and fill it in. Mr. Bozza states he told them he was going to fill the hole in. Mr. Deitrick questions where the water will then go. Mr. Winhofer states like it does on every other street. The Mayor said the water will go like it did before the pipe was put in.

Mr. Bozza states that he would just tell Atlantic Sunrise if they want the borough to use the money directly for that, we have no idea. Mr. Deitrick states that we applied for it to use it; it is not them saying.....Mr. Bozza states that he thought that you could use that money for emergency. Mr. Deitrick replied that you cannot, it is like any other grant it is specifically for what you applied for. Mr. Deitrick states that is like the DEP grant, we did not get in trouble but when we applied for the original grant we applied for 1,000 recycle bins. Mr. Deitrick states that he and Rhonda Wilk looked for a long time and found them for less than half price so we purchased 2,500 bins and it changed the scope of the project, we are alright but it held up our money a little while because we found a bargain but that is just the way red tape works. Mr. Deitrick states that whatever the scope of the project is that is what you have to use it for and you cannot change it.

Mr. Deitrick states that he will contact Williams Atlantic Sunrise and research the time frame for the project and see if we can use the first \$5,000.00 for engineering fees to see if we can get a better scope of the project.

Mr. Deitrick questioned Mr. Bozza on if he spoke with PennDot on doing the engineering. Mr. Bozza states that he will call PennDot to see if they could do the engineering.

**MOTION** – Mr. Winhofer made the motion and was seconded by Mr. Deitrick to use the 1<sup>st</sup>. \$5,000.00 for engineering from the Williams Atlantic Sunrise Grant.

**ROLL CALL VOTE**- BOZZA (no), DEITRICK (yes), MOTYKA (no), NIGLIO (no), SCICCHITANO (no), VARANO (no), WINHOFER (yes)  
2YEAS – 5NAYS

**\*\*TAPE MALFUNCTION\*\***

**BUILDING COMMITTEE** (Stephen Motyka)

Mr. Motyka states that the closing on the \$250,000.00 loan for the purchase of the new borough building is expected to be the first week of December. Baer Wolfe Architects is completing the final plans for the project and will advertise to bid the project accepting bids from Separate Prime Contractors and the borough will accept sealed bids until 4:00 P.M. Tuesday December 15, 2015 at the Borough office. A pre-bid meeting will be held on Tuesday December 1, 2015 at 4:00 P.M. at the project site, 9 North 8<sup>th</sup> Street.

Mr. Motyka states that there is equipment in the building that could be sold and council discussed if it would be best to sell outright or to look into having and auctioneer sell the remaining contents left in the building. Mr. Scicchitano suggests to receive the best price an auction would most likely be best. Council discussed getting a list together and possibly putting out for bid with a minimum price on these and that any and all bids could be rejected.

Mr. Scicchitano agreed that he and Mr. Deitrick will go to the building and compile a list of any equipment that is in the building and an estimated value of the equipment.

**MOTION**- Mr. Bozza made the motion and was seconded by Mr. Deitrick that once we take ownership of the East End Building all equipment remaining is put out for bid.

**ROLL CALL VOTE**- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)  
7YEAS – 0NAYS

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

No Report

### **OLD BUSINESS**

None

### **NEW BUSINESS**

None

### **ANNOUNCEMENTS**

Mr. Varano announced to remember our Veterans on Wednesday and a Happy Thanksgiving to all.

### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

Mr. Grinaway of 1237 Scott Street stated that he is frustrated with the language coming from the 15, 16 17 year old kids. He stated that the issues are ongoing and he is frustrated and states that he has not received an update.

Chief Pitcavage replied that all he can say is that there is an on-going investigation and he could not comment further on it.

Mr. Grinaway states that the music is still an issue and the music is still being played loud. Mrs. Niglio suggest to Mr. Grinaway to complain to the landlord. Mr. Grinaway states that there is a Chair outside that should not be there and asks if they are getting fined. Mr. Moroz states that the landlord will receive fines on the chair.

Mr. Grinaway asked where they are at with the eviction. Mr. Moroz states that if the landlord does not file within 1 week he will cite him. Mr. Moroz states that he is giving him a chance to file the eviction papers.

Mr. Grinaway states that there is garbage bags open in alley and against his garage.

Mr. Winhofer states that is a violation of the borough ordinance.

Mrs. Niglio states that they should be fined every day.

Mr. Grinaway states that the four wheelers and motorcycles are still speeding up and down and states that someone is going to get hurt.

Mr. Motyka agrees and states that the four wheelers and motorcycles are out of control. He states that they speed up and down and are just out of control.

Chief Pitcavage states that they are aware of it and it is just a matter of them being caught.

Mr. Grinaway questions if it is three strikes and out, how is it that they are up to 11 strikes now.

Bruno Varano states that Council will now meet in executive session to discuss personnel, contractual and litigation matters.

**The Borough Solicitor William C. Cole states that the board met in executive session for approximately 40 minutes for personnel, contractual and litigation matters.**

**THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR**

---

RHONDA WILK  
BOROUGH SECTRARY

---

DATE OF APPROVAL