

**KULPMONT BOROUGH  
REGULAR MONTHLY MEETING  
April 10, 2018**

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  
Tuesday, April 10, 2018

Roll call was taken and the following members were present: Mayor Bozza, Stephen Bielskie, Robert Chesney, Robert Fanella, George Malakoski, Michael Sinopoli and Walter Lutz.

**ABSENT:** none

**APPOINTED OFFICIALS PRESENT:** Solicitor, Edward Greco and Treasurer Paul A. Niglio

**PRESENT:** Borough Supervisor Bruce Graff, Code Official Russ Moroz and Borough Secretary Rhonda Wilk

**OTHERS PRESENT:** Robert M. Slaby, Rose Bielskie, Joe Politza, LouAnn Tamborelli, Keith Tamborelli, Joe Meyer and Jeff Gilotti.

**PRESIDENTS REPORT** – (Walter Lutz)

Mr. Lutz stated we have a Council vacancy that we need to fill. Mr. Gregory A. Sacavage and Mr. Robert M. Slaby both submitted letters of interest for the vacant position. Mr. Lutz stated at this time he would like to entertain a motion to appoint someone to the vacant council seat.

**MOTION-** Mr. Bielskie nominated to appoint Mr. Slaby to the vacant position and was seconded by Mr. Fanella.

Mr. Lutz questioned if there were any other nominations. No one spoke.

**MOTION-** Mr. Bielskie made the motion and was seconded by Mr. Fanella to close nominations to the vacant position.

The Solicitor, Edward Greco clarified that the appointment would be to the next municipal election, which would be until next year and then the position would be on the ballot for a two-year term to get it back in sequence. The Solicitor stated it is a little less than two years just so that everybody is clear.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (yes)  
6 YEAS – 0 NAYS

The swearing in of Mr. Robert Slaby to borough council was done by Mayor Nicholas Bozza and Mr. Slaby took his seat on Council.

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

No One Spoke

**MAYORS REPORT**- (Nicholas Bozza)

Mayor Bozza stated he would like council to consider a resolution for the Lourdes Boys Basketball team and the Cheerleaders for their accomplishments this season.

**MOTION**- Mr. Chesney made the motion and was seconded by Mr. Bielskie to present the Lourdes Boys Basketball team and Cheerleaders with a resolution to honor them for their appearance in the state playoffs in Hershey PA.

Mayor Bozza questioned if that will be done for the May meeting. Rhonda Wilk replied yes. Mayor Bozza stated he will let the players and parents know.

**VOICE VOTE**-

Unanimous

Mayor Bozza stated there is a problem in the borough with bears and stated that Mr. and Mrs. Tamborelli are here this evening because they had 6 or 8 bears in their yard and have had some other complaints as well from Scott Street.

Mayor Bozza stated he will call the game commission and see what could be done stating he would assume they would trap them. Mr. Lutz stated council will work with the Mayor on this issue.

Russ Moroz stated they will not take them unless it is a very big problem or if the bear attacks somebody.

Mrs. Tamborelli stated she had called Montoursville because her sixteen-year-old daughter ran into the bear in the yard and described the situation and how she was banging on pots to try and scare the bear away. Mrs. Tamborelli stated the gentleman she spoke to was professional but not sympathetic at all. She stated she called Harrisburg and spoke to a woman who said she will look into the possibility of someone trying to trap it.

She stated her mother lives next door and had a stroke and so she walks very slow and is concerned for her safety as well.

Mr. Lutz told Mrs. Tamborelli that Mayor Bozza will look into the problem and then commented it is a serious problem.

Mayor Bozza stated he has been getting many telephone calls on different things and stated he decided to have a Mayors neighborhood roundtable on April 18<sup>th</sup> at Holy Angels Activity Center at 7:00 p.m. Mayor Bozza stated Holy Angels asked that the Borough provide them with a certificate of liability insurance and stated he spoke to Rhonda and she looked into that and said that the insurance company would provide one and it is not a problem.

Mr. Lutz stated for sake of expedience he would like to talk about the correspondence at this time and stated there were multiple request from Holy Angels Church, Kulpmont 100 and the Tinkergarten Parks & Greenspace. Mr. Lutz stated each of these organizations are requesting permissions, use of facilities or street closures.

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to approve all three requests, Tinkergarten to use the Veterans Memorial Field and Holy angel's requests for their picnic in August 2018.

**VOICE VOTE**-

Unanimous

Mr. Bozza questioned if Tinkergarten would need to supply the borough with a certificate of liability insurance for the use of the Veteran Memorial Field.

Mr. Lutz replied that the field is used by others and so he does not believe so but will look into it.

**SECRETARY'S REPORT**- (Rhonda Wilk)

Rhonda Wilk stated correspondence was received from Service Electric concerning upcoming rate increases and that was copied to both Mayor and Council.

Correspondence was received from Northumberland County Tax Claim Bureau on the 2017 upset tax sale and that was copied to both Mayor and Council. Rhonda stated that other correspondence has already been covered.

Rhonda Wilk stated approval is needed on the March 13, 2018 meeting minutes.

**MOTION**- Mr. Bielskie made the motion and was seconded by Mr. Fanella to approve the meeting minutes from the March 13, 2018 meeting.

**VOICE VOTE-**

Unanimous

**TREASURERS REPORT** – (Paul A. Niglio)

Mr. Niglio stated that all received a copy of the financial statement and list of bills to be paid and stated a motion is needed to approve and pay the bills.

**MOTION-** Mr. Chesney made the motion and was seconded by Mr. Malakoski to accept the financial statement and to pay the bills.

**ROLL CALL VOTE-** LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (abstain)  
5 YEAS – 0 NAYS – 1 abstain

Mr. Niglio stated Klacik and Associates have been here and have performed the audit and are finishing up, everything has worked out and there are no findings and stated evidently, we are doing our jobs here. Mr. Niglio stated hopefully they will have the report done by the end of this month.

Mr. Niglio stated he called the Department of Community Affairs and give them an extension to file papers with the State and the County because we are converting from a cash system to an accrual system. Mr. Niglio stated the reason they are here doing the audit is because the USDA requires this type of audit when we borrowed that money.

**SOLICITORS REPORT-** (Edward Greco)

The Solicitor reported a petition was filed in County Court asking for the return of that \$1,500.00 and stated there is a hearing scheduled in June.

Borough Solicitor Edward Greco stated he has been working on a resolution, ordinance for the Police Pension and stated he must go back and get some of the language because the most recent ones are amending old ones and so it is a little more complicated than he anticipated.

Solicitor Greco stated he has also done some work on the Police Merger contract and stated there have been some little issues. He stated the borough approved the merger in March for a three-year period and is awaiting approval from Mount Carmel Township.

**POLICE CHIEFS REPORT** – (Patrick McAndrew)

Police Report Attachment #2.

**FIRE CHIEF REPORT** – (Raymond Siko)

Report Attachment #3

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

No Report

**BUILDING INSPECTOR'S REPORT**– (Tri County COG)

No Report

**CODE/HEALTH ENFORCEMENT OFFICER'S REPORT** – (Russ Moroz)

Code Report Attachment #5

**SERVICE AND FACILITIES** – (Robert Fanella)

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Malakoski to spend up to \$1000.00 to have Kreco Electric come in and install heating above the Municipal Building door to prevent ice buildup.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (yes)  
6 YEAS – 0 NAYS

Mr. Fanella stated food surplus will be held on April 19<sup>th</sup> from 8:00 a.m. until 12:00 noon at the borough garage.

Mr. Fanella reported we submitted a recycling grant to replace a dump truck and prep the ground, pave and fence in an area where the Wilson Building was to be used for recycling.

Mr. Fanella stated by Friday the steps will be gone and the walls will be gone at the Wilson Building.

Mayor Bozza questioned if we are doing the paving right away. Mr. Fanella replied no, and stated if we get the grant it will be about a year, that is all part of the recycling grant we applied for to pave that area to be used for the roll offs and to increase our recycling.

Mr. Fanella stated they will be pulling the footer out that is remaining from the old siren that was dismantled, it is a trip hazard.

Mr. Fanella stated before it hits Facebook, he wants to let everybody know he will be using the backhoe at the West End to put rest rooms in that will be used for picnics adding it is a community improvement and stated he will be volunteering his time.

The Solicitor suggested there be a motion authorizing the use of the backhoe.

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Chesney to authorize the use of the backhoe to dig to install the restrooms for picnics.

**VOICE VOTE** –

Unanimous

Mr. Fanella stated a yellow light is needed, it would be magnetic and could be moved from car to car and stated the code vehicle should have one since it follows behind the street sweeper.

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Bielskie to purchase a magnetic yellow light for the Code vehicle at a cost of \$200.00.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (yes)  
6 YEAS – 0 NAYS

**MOTION**- Mr. Fanella made the motion to purchase a container and liners for cigarette butts at a cost not to exceed \$100.00.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (no), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (yes)  
5 YEAS – 1 NAYS

Mr. Slaby stated in his position as City Administrator for Shamokin he just recently applied through a grant for these for the city. Mr. Slaby stated there is grant money out there that the borough would be able to apply for next year. Mr. Lutz directed a statement to Mr. Slaby that is appreciated and agreed that there is money out there we just need to get in and after it. Mr. Slaby agreed there is money out there and stated there is a couple of other things and stated he has literature on it.

Mr. Slaby stated they did apply in the City and were just notified about two weeks ago that they were not successful but were told we are welcome to re-apply next year and added he will get information for the Borough in the future.

**FINANCE/PURCHASING/GRANT COMMITTEE** – (Walter Lutz)

No Report

**CODE HEALTH AND SAFETY** (Stephen Bielskie)

Mr. Bielskie stated the Quality of Life Ordinance was advertised and we will need to adopt it.

The Solicitor stated he would still like to talk about one or two little things. Mr. Lutz questioned if we would not be able to vote on it. Solicitor Greco replied it would not need to wait, they we minor.

**MOTION**- Mr. Chesney made the motion and was seconded by Mr. Fanella to adopt the Quality of Life Ordinance.

**VOICE VOTE** –

Unanimous

A short discussion took place on ordering new tickets for the Code Officer. Russ Moroz stated he received a quote for 500 tickets for \$86.00. He stated he has tickets that he could use up and so they do not need to be ordered at this time.

Mr. Fanella stated he will need to correct a motion he made last meeting approving \$6,500.00 for Smith Burial vault to finish up at the Wilson building, the bid was \$6,700.00.

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Bielskie to correct motion of \$6,500.00 to complete the demo at the Wilson Building.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (abstain)  
5 YEAS – 0 NAYS – 1 abstain

Mayor Bozza stated he saw other communities advertising for their community yard sales and suggested we need to decide on a date. A discussion took place and it was decided to be held on Father's Day weekend with the rain date the following Saturday.

**MOTION**- Mr. Fanella made the motion and was seconded by Mr. Bielskie to approve Kulpmont Community Yard Sale to be held on June 16<sup>th</sup> 8:00 a.m.- 3:00 p.m.

**VOICE VOTE** –

Unanimous

**ORDINANCE COMMITTEE** - (George Malakoski)

No Report

**RECREATION/GRANTS** - (Walter Lutz)

No Report

**PERSONNEL**- (Michael Sinopoli)

No Report

**FIRE/EMA/POLICE COMMITTEE** – (Chesney, Sinopoli and Fanella)

Mr. Chesney stated the wheels are spinning on the Mill Project and stated there has been a lot of cooperation from EPA. He stated they were here for three days obtaining samples and evidence from the building and stated the County personnel has been there, Representatives from Barletta and Massers office have all been there. Mr. Chesney stated until all of the test results are in we do not know what will come of it. Mr. Chesney stated it is a long drawn out process but all of the wheels are spinning on this very dangerous situation.

Mr. Chesney commended the fire personnel with all their work and dedication. Mr. Chesney stated between their response time, work detail and training they put in 185 hours of work for our community.

Mr. Chesney stated the police merger is moving forward and stated all of the terminology and language of the contract is worked out and we are just now waiting for them work out details on their side. Mr. Chesney stated we are moving ahead with these two major projects, the Mill and the Police merger. Mr. Chesney stated there are other major projects but at this time we are going to prioritize and move on from there.

Mr. Chesney stated he was at the Wilson building and stated Tommy Smith is doing one heck of a job up there adding it looks fabulous. Mr. Chesney stated one set of steps is down and he will be working on the other set tomorrow.

**OPPORTUNITY FOR CITIZENS TO BE HEARD**

No one spoke

**OLD BUSINESS**

Mayor Bozza questioned if there is any word on UGI. Mr. Lutz stated we approved the agreement with UGI and the agreement is signed and stated they will let us know ahead of time when they plan to start.

Mayor Bozza questioned if we have heard anything from Aqua. Russ Moroz replied we have not heard anything.

## **NEW BUSINESS**

Mr. Lutz stated he would like to see a motion and a second on bringing criminal negligence charges against Dan Luzon, he is the owner of the Mill. Mr. Lutz stated it is about as criminal negligence as it could be. The Solicitor state council does not generally get involved in police matters. Solicitor Greco stated if the police department feels that it is warranted, then they should do it. Mr. Lutz replied he is just making a request. Solicitor Greco then stated it could be asked.

**MOTION**- Mr. Slaby made the motion and was seconded by Mr. Bielskie to request the police department to file criminal negligence charges against Dan Luzon.

Mr. Lutz stated he would like to have the Solicitor look into what legal remedy we may have with the Architect Rocky Baer and ECI General Contractor with issues on the building. Mr. Lutz stated there have been numerous meetings with them on the ramp and the sidewalk. Mr. Lutz stated what happens with these meeting is that we have Mr. Baer and ECI Contracting pointing fingers at old councilman and stated it is not getting solved.

Mr. Lutz stated what is going to happen is the Borough is going to be a solution of last resort and we are going to end up spending money for things that need to be addressed.

Mr. Lutz stated talking is not getting us anywhere.

**MOTION**- Mr. Slaby made the motion and was seconded by Mr. Fanella to have the Solicitor look into what legal remedy we have with the Architect, Rocky Baer and ECI the General Contractor.

**ROLL CALL VOTE**- LUTZ (yes), BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (yes), SINOPOLI (absent), SLABY (yes)  
6 YEAS – 0 NAYS

## **ANNOUNCEMENTS**

Mr. Bielskie stated we have a building on Chestnut Street, the owner is from Shamokin. Mr. Bielskie stated the wall is blown out and he cited him. Mr. Bielskie stated he talked to him and made him aware it is a commercial building and will need an architect in there. Mr. Bielskie then stated the owner then called Russ Moroz and stated he wanted to give the property to the borough. Mr. Bielskie stated we do not want that building.

Mr. Bielskie stated the owner told him he has no insurance on that building and added he is still liable for it. A discussion took place among council on which building this is that Mr. Bielskie was referring to. Mr. Bielskie stated he owns 3 addresses all together and they were all cited.

Mr. Lutz stated the next big project after the Mill and Police is blight. Mr. Lutz stated those buildings down there are the best they are going to be, today. Mr. Lutz stated it is all downhill from today adding this stuff should have been addressed 10 years ago. Mr. Lutz stated we are developing some plans on what to do about it.

Mr. Bielskie stated he knows the Mayor has been walking around town and stated Monday he is going to start walking around town every night street by street. Mr. Bielskie commented that you are able to see a lot more on foot then you do by driving by.

**ADJOURNMENT**

Mr. Bielskie made the motion to adjourn and seconded by Mr. Malakoski.

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

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**Rhonda Wilk**  
**Borough Secretary**

**Date of Approval** \_\_\_\_\_