

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
April 10, 2019
7:00 P.M.**

Opening Prayer by Councilman Walter Lutz
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Wednesday April 10, 2019

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

ABSENT: Robert Chesney and Michael Sinopoli

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

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

OTHERS PRESENT: Joe Politza, Joseph J. Dowkus, Edwin P Howerter, Barry Fetterman, Rose Bielskie, Ann DiDanato, Meg Keegan, Tara Purcell, Michal Purcell and Dan Ficca

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

No One Spoke

PRESIDENTS REPORT – (Walter Lutz)

Mr. Lutz stated we are going to first hear from Ann DiDonato from EPA on an update report concerning the Mill. Ann DiDonato said she very much appreciates all the help she received so far from the Code Officer Russ Moroz and thanked him for all of his help.

Ms. DiDonato stated they will probably be wrapped up with the majority of the asbestos removal by Easter and said several truckloads have been sent out so far. She said they are concentrating on the lower boiler room and the upper boiler room adding that the back corner there are some structural issues there and it is not safe for her crew to go in there and so they are trying the best they can to get some of that stuff out of there.

Ms. DiDonato stated they discovered some mercury and stated they collected that. She stated it was found in the basement and the temperature down there was 20 to 35 degrees and that is the best temperature to collect mercury. Ms. DiDonato stated they collected

quite a bit of mercury, which was one of the hazardous materials. Ms. DiDonato stated near where the stacks were at they are using high pressure water to knock the asbestos down off the pipes there down into the basement for collection. She stated that will be the last thing they will do, and they will then start backing out of there.

Ms. DiDonato stated there will be some asbestos left there, that they cannot get to safely and so they are going to secure that area when they leave very tightly. She said there are some hazardous liquids that they have not dealt with yet but have been moved to the upper boiler room until they are done with the asbestos and that will be left for last. She stated she anticipates completion to be around June 1st.

Ms. DiDonato said they will button everything up and she will then start to downsize the crew and begin to step down with a smaller and more local crew. She stated all is going great and she will keep the Borough Council up to date.

Mr. Lutz thanked Ms. DiDonato for the update. Ms. DiDonato thanked Council for their hospitality and stated it is a great place to work everyone has been very friendly and helpful.

Mr. Lutz stated concerning the two buildings on the 900 block of Chestnut Street. Mr. Lutz stated an engineer's report was received for 923 and 931 buildings. Mr. Lutz stated in the process of solving the problems with the buildings an engineer's report is required. Mr. Lutz stated the bottom line is the engineer's recommendation is that the buildings are demolished adding Council has been working on this now for quite a while.

Mr. Lutz stated at a previous meeting there was a motion and approval to advertise for demolition. Mr. Lutz stated we have to get some specs worked out and hopefully very shortly we will have an ad in the newspaper for demolition bids on those two buildings.

Mr. Lutz stated we are in the process of moving down Chestnut Street and have engaged property owners on some other structures there asking what we are going to do, clean these properties up, take them down and notified them of certain ramifications to that which are public nuisance charges, second degree misdemeanors.

Mr. Lutz stated we could go into condemnation and knock the buildings down and go in to lien the properties. Mr. Lutz stated we wanted to go a little slow on this to make sure we know what we are doing, this has not happened before, those buildings have been there for 25 years and now we are now learning how to do this, so it will go quicker. Mr. Lutz stated the problem is not only on Chestnut Street.

Mr. Lutz stated receipts in were \$157,000.00 January through March of this year compared \$137,000.00 January through March of last year. Mr. Lutz stated what went out January through March of this year was \$187,000.00 and so we spent \$17,000.00 more and so what we took in and what went out, we are to the good \$3,000.00. Mr. Lutz stated one of the reasons the money in was the good work the Solicitor did getting us the money from the Industrial and some other money that was around.

Mr. Lutz stated one of the big increases was the police the expenditures for the police was for the first three months last year \$33,000.00 and the first three months of this year was \$70,000.00 and that is a \$37,000.00 increase. Mr. Lutz stated this Council feels the number one priority in the Borough is to make sure the citizens are safe.

Mr. Lutz stated the General fund is \$296,000 the end of March and last year it was \$245,000.00. He stated landlord fees are down and so we are going to get after the landlords and make sure they are registering. Mr. Lutz stated cable fees are down as well.

Mr. Lutz stated we need as part of hiring a police officer we need to put a full civil service commission in place. He stated there are two people on it now and we will need to contact them and make sure they are still interested to be on there. Mr. Lutz stated we need a third person on there. Mr. Lutz asked for a motion to appoint David Shinskie to the Civil Service Commission.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Fanella to appoint David Shinskie to the Civil Service Commission.

VOICE VOTE-

Unanimous

MOTION- Mr. Bielskie made a motion to advertise for a full-time police officer and was seconded by Mr. Fanella in the News Item and 3 additional papers.

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

Mr. Fanella stated he and the Chief have received some information and pricing on police cars and financing. Mr. Fanella stated quotes have been received to purchase and to lease a police vehicle and stated his thoughts are to have Mr. Lutz look into financing with the bank and for next month meet with the committee decide on a vehicle and get one ordered.

Mr. Lutz stated what is being asked is that he investigate financing, nothing more, just look into. Mr. Lutz stated there is interest in a lease and it could be high. Mr. Lutz stated we are in a position that we could put a pretty nice down payment down.

MOTION- Mr. Bielskie made the motion to authorize Mr. Lutz to talk with the Bank about finance options and interest rates.

VOICE VOTE –

Unanimous

Mr. Lutz stated the car we have now he understands is the vehicle we have now is in pretty rough shape.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza reminded Council and citizens of the Crime Watch meeting to be held this month on April 25th at 7:15 p.m. at Holy Angels.

Mayor Bozza stated he wanted to mention and congratulate Our Lady of Lourdes and Mount Carmel Area Boys and Girls basketball teams on a successful season and stated every year they make us Coal Region proud.

Mayor Bozza stated directional parking will go into effect immediately and stated if you are parked in the wrong direction you will be ticketed.

Mayor Bozza said this past Saturday he was at the Veterans Memorial Field and there were car tire tracks on the tracks and in the field and asked Council to consider having the field locked from dusk to dawn. Mayor Bozza stated he understands we would need to get keys to all of the emergency personnel.

A short discussion took place and a motion was made to lock the gate.

MOTION- Mr. Slaby made the motion and was seconded by Mr. Bielskie to lock the gate at the field from dusk to dawn.

VOICE VOTE -

Unanimous

Mayor Bozza asked to meet in executive session at the end of the meeting with Council, Rhonda and Paul to sit in.

SECRETARY'S REPORT- (Rhonda Wilk)

Approval is needed on the March 13,2019 monthly meeting minutes

MOTION- a motion was made by Mr. Fanella and seconded by Mr. Bielskie to approve the March 13, 2019 regular monthly meeting minutes.

VOICE VOTE - Unanimous

Rhonda Wilk stated the Regular monthly meetings were advertised to be held the second Wednesday of each month at 7:00 p.m. and when they were, the May meeting was advertised incorrectly as May 15th and the correct date should be May 8th. Rhonda Wilk stated a motion is needed to advertise the May meeting as May 8, 2019 at 7:00 p.m.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to advertise the correct date for the May 8, 2019 regular monthly meeting.

VOICE VOTE – Unanimous

Rhonda Wilk stated under Correspondence we received the following:

Correspondence was received and copied to Mayor and Council from Northumberland County Conservation District concerning mosquito season surveillance and possible mosquito control.

Pennsylvania Department of Transportation correspondence notification of liquid fuel payment in the amount of \$97,251.91.
Pennsylvania Department of Transportation regarding the annual signal maintenance.

KMHJMA correspondence including the February meeting minutes and a list of recent water shutoffs in the borough.

A letter was received from Dan Ficca asking for some clarification of sewage and road right of way requirements pertaining to sale of land.

PSAB mailed information on the 108th Annual Conference to be held on June 9-12, 2019 at the Hershey Lodge.

Mr. Slaby questioned if the borough has a contract for the signal maintenance. Bruce Graff replied we have Kreco Electric maintain the signal and stated he usually calls them this time each year.

TREASURERS REPORT – (Paul A. Niglio)

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

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

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

SOLICITORS REPORT- (Edward Greco)

The Solicitor stated he has been very busy with the properties on Chestnut Street that Mr. Lutz mentioned. The Solicitor stated he has been working on getting access to the properties as well as releases.

POLICE CHIEFS REPORT – Nathan Foust)

Chief Foust stated he would like to thank Council for the consideration on the vehicles. Mr. Lutz commented that we were sorry to see officer McHugh go. Mr. Lutz stated it is a big priority to get another officer. Mr. Lutz stated we have a great crew.

FIRE CHIEF REPORT – (Raymond Siko)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

Report Attachment #4

Mr. Bielskie stated he has been working with the owner of the garage coming into Kulpmont. Mr. Lutz stated they are fixing it up and it will be nice. Mr. Lutz stated the towers are down and commented this is all good stuff.

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

Report Attachment #5

Russ Moroz stated over the next couple of weeks he and Council members are going to be walking around and looking at some properties. He added we have had a hard winter and we want to get everything cleaned up.

Russ Moroz stated we will be looking at garbage, grass, weeds and more. Russ Moroz stated the quality of life ordinance is pretty extensive everything from abandoned vehicles to parking in front of garage doors.

Russ Moroz stated even if you own the garage you could be fined for parking in front of the garage if it is not set back onto your property.

Mayor Bozza stated a vehicle is up on jacks and questioned if that is alright to be up on jacks if it isn't fenced in adding there are abandoned vehicles throughout town. Mr. Lutz replied the issue has been addressed and stated twenty or more vehicles have been taken off the street adding it is a process. Mr. Lutz stated Officer Mazzeo has been very involved in removing these vehicles from the streets.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated food surplus will be held on April 18, 2019 from 8:00 a.m. until 12:00 noon at the Borough Garage.

Mr. Fanella stated 2 water heaters at a cost of \$189.99 each for a total cost of \$379.98 were purchased for the Borough Garage, he stated they didn't have hot water to wash up for six years. Mr. Fanella stated he was approached by the Baseball Association about the hot water heater not working at the concession stand.

Mr. Fanella reported the new heater has been installed in the Borough Garage.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Slaby to pay the bill of \$379.98 for the purchase of two water heaters.

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

Mr. Fanella stated our truck has been ordered to replace an old recycle truck and is expected to arrive in January. Mr. Fanella stated the truck cost is approximately \$80,000.00 and our share of the cost will be approximately \$8,000.00.

Mr. Fanella stated our new sign that recognizes the Mount Carmel Baseball Team was installed.

FINANCE/PURCHASING– (Robert Slaby)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (George Malakoski)

No Report

GRANTS/RECREATION - (Walter Lutz)

Mr. Lutz stated he and Councilman Fanella are putting a grant request together for the Kulpmont Football Field and stated briefly what it is to update it and look at that wall that is collapsing they are going to the American Legion and talk to them about allowing us to access where the old bleachers were, so we could put parking in. He said they are going to talk to the coal company to see about gaining access from the Marion Heights hill to

the parking. Mr. Lutz adding to plant some trees and spiff the place up. Mr. Lutz stated they are going to go for some serious money.

PERSONNEL- (Michael Sinopoli)

Mr. Lutz stated Mr. Sinopoli is not here this evening adding that under personnel the street department voted in a union and stated he does not think they have been notified of any negotiations at this time.

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

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Ficca stated he went to the sewer authority and had a meeting with them and they suggested he get a lawyer and stated he did that.

Mr. Lutz stated to clarify the situation, Mr. Ficca is trying to sell a piece of property near Timberwood and he needs to get organized on sewer and there is an access road there, he needs to get all of that squared away. Mr. Lutz stated to Mr. Ficca that anything the Borough could do; the Council would like to be helpful.

Mr. Michael Purcell of 210 Chestnut Street stated he received three citations for garbage that was put out for garbage collection, they did not collect it that day and until he got in touch with the collector it was Wednesday the following week that he was notified it will be picked up Thursday. Mr. Purcell stated meantime he received three citations.

Mr. Purcell stated he was not notified of the first citation until Wednesday and then received two more citations for \$500.00, which he stated he was not even aware of the first citation until he received it. He stated during this time frame there was a gold car with an older gentleman in it driving slow past his house.

Mr. Purcell stated as he stated in his letter, he works in a solitary confinement unit in the state prison. He added that he has serious concerns about his family. Mr. Purcell said he did not report about that vehicle because when he received the citations he figured it had to do with the citations.

Mr. Purcell stated the first citation was received on Wednesday and was postmarked the 2nd and the citation was dated the 1st. He stated if they were in front of his house taking pictures, he said he looked in the ordinance code and it said the very first thing it says is they can put it in your mailbox or notify you.

Mr. Purcell stated in the pictures all vehicles were in the picture and so they were home, nothing was said and then four days later he received a citation. He stated he came down

to the Code office to address it and states he admits to getting a bit heated towards the end, but states he was agitated from being told this is his problem.

Mr. Purcell stated the item was large to be kept in his house it was a box spring and a large piece of cardboard which held a note to the garbage company which read "he contacted them and to please take the items."

Mr. Purcell stated he came home the next day and the postmark on the 2nd citation was postmarked the 3rd and the violation was written on the 2nd. The next day he got another citation postmarked the 4th and the citation was written the 3rd. Mr. Purcell stated the interesting thing is that he was told when he was at the Code office you have 24 hours and the date time stamp on this is less than 24 hours during which time he accumulated \$500.00 fines. Mr. Purcell stated he is here lobbying for removal of these citations because he was never notified until he had \$500.00 of fines.

Mayor Bozza questioned Mr. Purcell if as he got the citations if the garbage was still out there. He stated after he got the first one on Wednesday and said he explained to Mr. Moroz it was to be picked up the next day at 9 a.m., he stated after it was picked up he got the second citation in the mail. Mr. Lutz questioned if that was from the previous day. Mr. Purcell replied "yes."

Mr. Purcell said concerning the gold vehicle, his fiancée was coming home from dropping the kids off and had to wait in street and wait for the car to move to pull into the driveway.

Mr. Purcell stated he was also told the Code officer went onto his property and looked on his side porch and said he was not told he was coming to his property and explained the items on the side porch are decorations being stored, not garbage. He stated there is mulch for the spring and the tires are on rims and are not garbage.

Mayor Bozza looking at a picture and asked Mr. Purcell if this is the side porch in the picture. Mr. Purcell said it is. Mayor Bozza commented the picture looks as if it were taken from the street. Mr. Purcell agreed and stated the Code officer told him he walked up and looked on his porch and asked him what on the porch is garbage. Mr. Purcell stated he explained to him nothing there was garbage, just decorations being stored, mulch adding none of the items are garbage on that porch.

Mr. Lutz asked if he has anything further to say. Mr. Purcell replied only that he would like to have the citations dismissed because there is no way he could have had time to remove the garbage before receiving \$500.00 in fines because nobody notified him until they were issued.

Mr. Slaby questioned him if he has had his day in Court. Mr. Purcell replied no and stated this is his first step here. Mr. Purcell stated he has 10 days to pay a fine and he did not even receive a fine for 4 days and so that gives him 4 days to come up with \$500.00. Mr. Slaby replied that he has a right to a hearing before the magistrate.

Mr. Purcell replied he understands that but as he explained where he works he has a chain of command and he stated he is trying go through a chain of command with this situation, first step being to come to Borough Council.

OLD BUSINESS –

None

NEW BUSINESS-

None

ANNOUNCEMENTS

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

Solicitor Greco announced Council met in executive session for approximately 25 minutes to discuss possible litigation, personnel and contractual matters.

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval _____