

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
August 14, 2018
7:00 P.M.**

Opening Prayer by Councilman Robert Slaby
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Tuesday, August 14, 2018

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

ABSENT: Stephen Bielskie and Robert Chesney

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

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

OTHERS PRESENT: Joe Politza, Jeff Gilotti, Robert Michalkovich, Barry Fetterman, Michael Katalinas, Diane Graff, Ann DiDonato, Jana Pezanowski, Marsha Karnes, Linda Rodak, Fire Chief Ray Siko and Mike Bressi

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

No One Spoke

PRESIDENTS REPORT – (Walter Lutz)

Mr. Lutz introduced Ms. Ann DiDonato stating she is the main contact person the borough has had concerning the Mill.

Ann DiDonato introduced herself as the on-scene coordinator of the Eastern Response Branch for the Environmental Protection Agency. She then introduced Jana a contractor from North Scranton and stated she works for Western Solutions for EPA and stated she will be a contact going forward.

Ann DiDonato stated it was May a year ago that they received a letter from the Borough requesting assistance with the Mill. Ann stated it is a process and stated when they receive referrals for sites, they first go and see if there is a hazard. She stated at times what looks like a hazard may not be an environmental hazard and may be a structural hazard. She stated an affidavit was prepared after pursuing contact with the owner of the Mill for many months and then a decision was made for the EPA to come in and take

some photographs because they were going to seek a warrant and so an affidavit was prepared for that and stated a warrant was then signed to go into the building for samples.

Ann DiDonato said samples from inside the building that were collected in March tested positive for asbestos throughout the building, more specifically in the two boiler rooms. She stated additionally the two smokestacks on the building were deemed structurally unsound. Ann DiDonato stated due to the structural status of the stacks tearing those down is the first step in a plan of action. She stated a memorandum requesting funding to assist with addressing the issue with the J.H. and C.K. Eagle Mill is to be signed next week.

Ms. DiDonato stated she intends to get preliminary quotes once the memorandum has been signed and stated it will become quite pricey. Ms. DiDonato stated there is a concern over tearing down the brick smokestacks for fear it contains asbestos. She said the asbestos removal is the main concern and how to take them down safely. She stated that is what they do and so the removal will be a slow process taking the stacks down.

Ms. DiDonato stated the biggest problem they face in addressing the issues is the private ownership of the building. Ms. DiDonato said she has been in contact with the current owner, Dan Luzon of Bronx, New York who appears to be amenable to allowing them to do the work. She continued to say that her worry is that he may backpedal after receiving an official price quote because the EPA intends on seeking reimbursement from him.

Ms. DiDonato stated she may need to go back to court and get a warrant for the cleanup. She asked if any of Council worked with EPA before or if there were any questions for her. Councilman Slaby questioned if there was a structural engineer on board and if he could get a copy of the report. Ms. DiDonato replied there is, and she will provide that to him and asked for him to provide his email to her. Mr. Slaby questioned about the asbestos removal process. Ms. DiDonato explained the process of removal and monitoring during the removal.

Ms. DiDonato stated when they begin they will get everyone involved, they will contact the fire department, everyone will be involved. Chief Siko questioned if they encounter a fire if they have a concern with airborne. Ms. DiDonato replied that it is always a concern and suggested to just water the heck out of it.

Mr. Lutz thanked Ms. DiDonato and stated it is his understanding that something will get done down there.

Mr. Lutz thanked the Kulpmont Marion Heights Joint Municipal Authority and stated they requested them to bait for the very serious problem with rats and they did that. Mr. Lutz stated Council appreciates Mr. Miriello's efforts adding they have also been aggressive with closing houses unfit for human habitation.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated our new officers need some ammunition, a Portable radio and flashlights for a total amount of \$2072.00.

MOTION- Mr. Slaby made a motion to spend up to \$2100.00 to purchase the ammunition, radio and speaker and flashlights and was seconded by Mr. Sinopoli.

Mr. Slaby questioned the Chief if the portable radio/portable speaker if this is for the building or for a vehicle. Mr. Slaby questioned if this is from Greens over in Pottsville. Chief Foust replied it is from Keystone Communications.

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

Mayor Bozza announced and reminded everybody of the 1st annual First Responders Day Parade will be held on September 8th. Mayor Bozza stated Mr. Shinskie will be getting a letter to the borough concerning this event and parking request. Mayor Bozza stated this is a great thing adding these people put their lives on the line every day. Mayor Bozza stated we will get the list on any parking restriction requests.

MOTION- A motion to restrict parking on affected streets for September 8th event, the First responders parade.

VOICE VOTE- Unanimous

Mr. Fanella questioned Bruce if we will need additional parking signs. Bruce Graff replied that we need to order additional signs. Mr. Fanella questioned if he has a cost on 50 no parking signs. Bruce Graff replied that he is not sure but thinks the cost may be about \$75.00 for 50 signs. Bruce Graff stated he will get with Rhonda to place the order on Monday.

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Fanella to purchase no parking signs, spending up to \$100.00.

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

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated a motion is needed to approve the meeting minutes from the July 10th and the July 20th meetings.

MOTION- Mr. Sinopoli made the motion and was seconded by Mr. Slaby to approve the meeting minutes from the July 10th and the July 20th regular monthly meetings.

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

Rhonda Wilk stated we received correspondence form the Northumberland County Tax Claim Bureau and that was copied to both Mayor/Council.

A letter was received from the Kulpmont Marion Heights Joint Municipal Authority dated July 31st confirming the baiting locations, copied to both Mayor/Council.

Rhonda Wilk stated a late addition to correspondence was a letter received from Livic Civil Engineering Services concerning the Fir Street Pipe replacement, copied to both Mayor/Council

TREASURERS REPORT – (Paul A. Niglio)

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

MOTION – Mr. Malakoksi made the motion and was seconded by Mr. Sinopoli to approve and pay the bills.

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

Mr. Niglio stated there is a bill for \$4000.00 to pay for the police pension consulting fee for 2018, \$3000.00 and Police Pension GASB 67 and 68 schedules, Actuarial Services \$1000.00 for a total of \$4000.00

Mr. Lutz stated his sense is that we will need to table that. Mr. Niglio questioned if he may ask why. Mr. Lutz replied the reason is that he saw it at noon today, speaking for himself. Mr. Lutz stated the other deal with it is that he saw it was paid in November. Mr. Niglio replied that it was paid in April of this year for 2017. Mr. Lutz stated the 2018 invoice was as the 1st of January and asked where it has been. Mr. Niglio replied it was a screw up by himself stating he though the bill we paid in April was for 2018 and it was not, it was for 2017. Mr. Lutz stated he will meet with him sometime this week and stated he would like to go over it with him at that time.

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco replied there are some minor areas he has been researching as issues come up.

POLICE CHIEFS REPORT – (Nathan Foust)

No Report

Mr. Lutz stated Officer McHugh and Officer Mazzeo are on duty now.

Chief Foust added that Officer Toter will start on Saturday.

FIRE CHIEF REPORT – (Raymond Siko)

Chief Siko questioned Mr. Lutz if he received a copy of the letter in reference to the Pole Building that they discussed at their meeting. Mr. Lutz replied he did receive the letter and asked if they got a quote. Jeff Gilotti replied it depends on the size of carport we are looking at, if you are looking at one that will cover three parking spaces a 21 x 28 would work and the cost is about \$2200.00 plus installation.

Mr. Gilotti added it depends on if you want to cover one car or two cars. Jeff Gilotti stated they only need one to cover the unit and so it depends if you want to cover one car or two cars. Mr. Lutz questioned if we could get something on paper on what this may cost. Chief Siko replied yes. Mr. Lutz stated we cannot get after that now until the next meeting.

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT- (Tri County COG)

No Report

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

Report attachment #4

Mr. Lutz commented that the number of citations written have substantially increased and stated he believes there are fifteen that have been sent to the magistrate. Mr. Lutz stated they have been persistent on the garbage reminding residents it must be in a closed container. Mr. Lutz stated we are probably going to need to take some legal action on

some. Mr. Lutz stated with the efforts of the Sewer Authority and the Code Enforcement we are making progress on many issues.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated food surplus will be held on August 23rd at the Borough Garage from 8 a.m. until 12 noon.

Mr. Fanella stated the garage door on our fire department has a 2” gap on the one side and the second door has problems with the motor running when the door is up. Mr. Fanella stated he has a quote from Glick’s to service the door for \$438.00 and any additional parts needed will be brought up for approval on additional costs.

MOTION- Mr. Fanella made a motion and was seconded by Mr. Sinopoli to spend up to \$450.00 to have Glick doors repair the truck room Garage Doors.

Mr. Slaby questions if this facility is next door to the borough building. Mr. Fanella replied yes.

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

Mr. Fanella stated we have two pipe jobs going on in our town and stated 10th and Fir will be started next week. Mr. Fanella stated 11th and Poplar Street is a big problem and runs through a resident’s yard, that was looked at by our engineer and stated just the engineer fee would be \$5250.00. Mr. Fanella stated all Council members got a copy of the letter from our engineer.

MOTION - Mr. Fanella made the motion and was seconded by Mr. Sinopoli to spend up to \$5,250.00 to the engineer, Livic Civil to start the process for repair of 11th and Poplar Street.

Mayor Bozza questioned if the \$5,250.00 is just the engineer fee. Mr. Fanella replied yes.

Mr. Slaby questioned what the problem is there. Mr. Fanella replied the pipe collapsed and stated the water is running on top of the pipe down through under his whole yard and retaining walls. Mr. Sinopoli added it runs about 4’ from a gas main. Mr. Lutz stated it appears as though a lot of this pipe was put in at the same time adding the one over by Nolan’s is a problem, this one and the one on Fir Street is a problem.

Mr. Fanella stated the wall would need to come out to put that pipe in. Mr. Fanella stated the thing is to do is abandon that one and fill in what is caved in and move the pipe into the street. Mr. Slaby asked if the plan is to move the existing pipe problem and move the

pipe into the middle of the borough street. Mr. Fanella replied the edge of the street, which is all busted up already.

Mr. Fanella stated the sewer line goes down and the gas line goes down, it is not an easy thing.

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

Mr. Fanella recommended to pave Maple Street, 11th and 12th and Ash Street 8th and 9th.

Mr. Lutz questioned Mr. Fanella if we have an idea on a cost to do so. Mr. Fanella replied \$27,500 for Maple 11th,12th and Ash Street 8th and 9th would be about \$26,000.00.

Mr. Lutz stated if we get a motion to advertise for bids and then once we get the bids we can see where we are and then we can make a motion to accept the bid and spend the dough, so it will be a two-step affair.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to advertise to pave Maple Street 11th – 12th and Ash 8th – 9th.

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

Mr. Fanella stated he would like to repave 9th and 10th Street between Chestnut, he suggests a 4' wide strip rather than pave the entire street. He stated the water is running down and we have terrible potholes.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to fix a 4' strip on 9th and 10th between Chestnut and Spruce Street for bids to repair.

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

FINANCE/PURCHASING– (Robert Slaby)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (George Malakoski)

No Report

GRANTS/RECREATION - (Walter Lutz)

No Report

PERSONNEL- (Michael Sinopoli)

Mr. Sinopoli requested to meet in executive session for personnel matter.

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

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

No one spoke

Mr. Lutz stated Council will now meet in executive session at 7:48 p.m.

Solicitor Greco stated Council met in executive session for approximately 25 minutes to discuss personnel matters.

OLD BUSINESS - None

NEW BUSINESS- None

ANNOUNCEMENTS

Mr. Lutz stated Mayor Bozza reminded us earlier about the First Responders Parade

Mr. Lutz asked all to remember the real meaning of Labor Day for people especially in our area who worked hard all of their lives.

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval _____