

**KULPMONT BOROUGH
SPECIAL MONTHLY MEETING
February 11, 2019
6:00 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
Monday, February 11, 2019

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

ABSENT: George Malakoski, Michael Sinopoli and Robert Slaby

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

PRESENT: Borough Supervisor Bruce Graff, Code Official Russ Moroz, Borough Secretary Rhonda Wilk, Police Chief Foust and Fire Chief Raymond Siko.

OTHERS PRESENT: Joe Politza, Barry Fetterman and Ann DiDonato

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

No One Spoke

Mr. Lutz stated at this time Ann DiDonato from EPA will update us on the Mill. Ms. DiDonato stated the good thing is if there would be another government shutdown the brick stack will continue to come down and stated it will be about a 2 ½ week project. She stated the bricks will be stacked until they are shipped out after some sampling.

She said the crew now is five and they have been doing clean out of the boiler room and are preparing to do some structural work in the upper boiler room, dealing with the roof collapse and so they are obtaining quotes for a structural engineer to come in and put a cage up of some sort that will stay in place so that they could remove asbestos in that area.

Ms. DiDonato stated they are also working on ingress and egress to get the asbestos contaminates out. She stated they can't have a classic abatement because they cannot have a negative air situation as with using domes, that is what they would need for the entire facility to have a negative air situation. She said they are making progress and stated they lost seven to eight weeks with the shutdown. She said DEP has been plugged into it and have been down to visit a few times. Ms. DiDonato asked if there were any questions.

Mr. Chesney stated the concern would be once they get started if they possibly would be pulled before the project is finished. Ms. DiDonato replied no and stated she will always have a back up and stated Mr. Guzuetti will be here when she is not.

Mr. Chesney verified that they now have full electrical power. Ms. DiDonato replied they do, there is a generator and stated anyone is welcome anytime to stop by. Ms. DiDonato stated she is in the trailer closest to the road.

PRESIDENTS REPORT – (Walter Lutz)

Mr. Lutz stated the Audit for 2017 is here and stated anyone wishing to review it may come up and see it. He stated the USDA loan requires this type of Audit which is \$8500.00, for 40 years is \$340,000.00. Mr. Lutz stated it is what the government requires.

Mr. Lutz stated the engagement letter was signed to begin the audit of 2018 and so hopefully they will be in soon and the audit should move along faster.

Mr. Lutz stated we have a vacancy on the Kulpmont Marion Heights Sewer Authority and asked Mr. Chesney to speak on that since he is a member of the Personnel Committee.

Mr. Chesney stated we had one applicant and interviewed Mr. Fanella and went over some of the bullet points they used in the investigation of the candidates.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Bielskie to appoint Robert Fanella to the Sewer Authority.

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

Mr. Lutz then stated there are two resolutions #741, and #742 that need to be approved and adopted and stated they read as follow:

RESOLUTION #741

Kulpmont Marion Heights Joint Municipal Authority Appointment

WHEREAS, The Borough of Kulpmont has the ability to appoint members to the Kulpmont, Marion Heights Joint Municipal Authority (hereinafter referred to “KMHJMA”).

WHEREAS, Bruno Varano, was appointed by Kulpmont Borough, on October 25, 2016, to a five-year term to begin on January 1, 2017.

WHEREAS, under Ross Township vs Menhorn 588 A.sd 1347, such appointment to a municipal authority position that was not vacant, are deemed improper.

NOW, THEREFORE BE IT RESOLVED, That the Borough of Kulpmont, County of Northumberland does hereby declare the seat of Bruno Varano, on the KMHJMA, vacant and null and void and the Borough will make another appointment.

ADOPTED: this resolution is hereby adopted and executed on the 11th day of February 2019, at a legally advertised public meeting of the Kulpmont Borough Council, County of Northumberland and Commonwealth of Pennsylvania.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Chesney to adopt Resolution 741.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (absent), SINOPOLI (absent), SLABY (absent), LUTZ (yes)

4 YEAS – 0 NAYS

Mr. Lutz then read Resolution #742.

RESOLUTION #742

Kulpmont Marion Heights Joint Municipal Authority Appointment

WHEREAS, The Borough of Kulpmont has the ability to appoint members to the Kulpmont, Marion Heights Joint Municipal Authority (hereinafter referred to “KMHJMA”).

WHEREAS, Bernard Novakoski, Sr., was appointed by Kulpmont Borough, on October 25, 2016, to a five-year term to begin on January 1, 2017.

WHEREAS, under Ross Township vs Menhorn 588 A.sd 1347, such appointment to a municipal authority position that was not vacant, are deemed improper.

NOW, THEREFORE BE IT RESOLVED, That the Borough of Kulpmont, County of Northumberland does hereby declare the seat of Bernard Novakoski, Sr., on the KMHJMA, vacant and null and void and the Borough will make another appointment.

ADOPTED: this resolution is hereby adopted and executed on the 11th day of February 2019, at a legally advertised public meeting of the Kulpmont Borough Council, County of Northumberland and Commonwealth of Pennsylvania.

MOTION- Mr. Bielskie made the motion and was seconded to adopt Resolution 742.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA (yes), MALAKOSKI (absent), SINOPOLI (absent), SLABY (absent), LUTZ (yes)

4 YEAS – 0 NAYS

Mr. Lutz stated with the help of the solicitor we have actively engaged the owner of the Powell building and his attorney and stated we are getting close to getting a resolution. There are some things to be done such as getting an environmental engineer involved and get some specs so that we could go ahead and bid it.

The Solicitor stated a letter was drafted to Mr. Powell's attorney requesting access to the building to see what the building entails. He stated they have no problem giving access as long as we assume the risk of entering into the building. The Solicitor stated that is moving along.

The Solicitor stated concerning the vacancies on the KMHJMA being advertised. Mr. Lutz replied we will advertise. Mr. Bielskie questioned if they are not vacant yet. Mr. Lutz replied they are vacant when we passed these resolutions and we will put an advertisement in the paper for any interest in serving on KMHJMA to let us know.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated crime watch meeting will be February 28th at 7:15 at the Holy Angels activity center.

Mayor Bozza stated the Residential Crime Watch group is hosting a First Aid class, which will be hands on CPR and will be held on March 18th at 5:00 p.m. and stated it should be over about 8:00 p.m. Mayor Bozza stated if anybody is interested to contact him or call the Borough and let Rhonda know.

Mayor Bozza asked that Council consider a buzzer at the outside police door for hours when the building is closed and also a Camera at the door. Mayor Bozza stated he would like to see all cameras to be viewed from the police department. Mr. Chesney suggested also to put a paper with the phone number in the window, most people have a cell phone and so if the officer is in there he would be able to let them in.

Mayor Bozza agreed but said in the situation where the person who called him about this did not have a cell phone and so she had to go home to call here.

Mr. Lutz asked Mr. Fanella to get a meeting together with the parties at hand to get a price together for the buzzer and security system. Mr. Fanella stated we can get a price and go from there and stated he thinks the person that once was here also is working with Shamokin.

Mr. Lutz stated what we want to do right away is get a buzzer put in.

MOTION- Mr. Fanella made a motion and was seconded by Mr. Bielskie to spend up to \$250.00 to put a buzzer in the police department.

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

SECRETARY'S REPORT- (Rhonda Wilk)

Approval is needed on the January 8, 2019 monthly meeting minutes.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Fanella to approve the meeting minutes from the January 8, 2019 monthly meeting.

VOICE VOTE –

Unanimous

Rhonda Wilk stated under Correspondence we received the following:
Correspondence was received from IRA H. Weinstock, P.C., copied to Mayor and Council.

PSAB Legislative update, 2019 Voting Delegate and Alternate copied to Mayor and Council

Kulpmont Fire Department Donation request received and copied to both Mayor and Council.

Shamokin Creek Restoration Alliance for 2019 membership, copied to Mayor and Council.

A letter received from Stephen Motyka, Borough resident copied to both Mayor and Council.

A letter was received from the Commonwealth of Pennsylvania PA Labor Relations Board copied to Mayor and Council.

Mr. Lutz stated the Correspondence from the law office of IRA H. Weinstock was concerning the unionization of the Borough employees. He stated the Correspondence from the Commonwealth of PA Labor Relations Board is a letter stating there will be a hearing and the letter today states we will need to complete some papers and send them off. Mr. Lutz stated there are some issues about some pieces of paper that appear to be missing and so that is what that is about.

Mr. Lutz questioned Mr. Niglio if we donated to the Fire Department in the past. He replied no.

Mr. Lutz addressed the correspondence from the Shamokin Creek Restoration Alliance.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Bielskie to spend \$20.00 to renew the membership with Shamokin Creek Restoration Alliance (SCRA) for 2019.

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

Mr. Fanella stated concerning the correspondence received from Mr. Motyka which referred to a grant. Mr. Fanella stated he would like to go for a park rehab grant and put the money into the football field and do some improvements up there rather than go with what was suggested by Mr. Motyka with putting rocks in the stream bed down at the Veterans Memorial Field. Mr. Fanella stated the grant is for up to \$250,000.00 with a 15% match and stated the deadline is May 1st.

Mr. Lutz stated the football field needs some tender love and care and stated we are going to be working on that to get a report together for the next meeting.

TREASURERS REPORT – (Paul A. Niglio)

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

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

Mr. Lutz questioned the bill to Thomas J. Anderson Associates. Mr. Niglio stated we are not going to pay that bill, at this point. We should soon be with PMRD.

Mr. Lutz questioned if the \$2500.00 to Klacik is the balance for the 2017 audit. Mr. Niglio replied yes.

SUBSIDIARY MOTION- To approve and pay the bills without paying the bill to Thomas J. Anderson Associates by Mr. Chesney and seconded by Mr. Bielskie.

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

Mr. Niglio stated we will have a bill from Anderson as of 1/1/2019, which is prior to anything that will happen. Mr. Lutz asked Mr. Niglio when we receive that bill that they talk about it.

Mr. Niglio stated there were two findings on the audit report and stated one of them was our inventory and stated we don't have an asset inventory at the Borough. Mr. Niglio stated we are going to need to have an asset inventory of everything the Borough has, the garage, office, police department the fire company. We need to have a list of our assets and come up with a value.

Mr. Niglio stated we did not have that information last year and so there were findings. Mr. Niglio then stated all of that must be in the audit and it needs to be done in the next two months because the audit for 2018 is going to be issued by June. Mr. Niglio stated when he and Mr. Lutz signed off on their action plan, it was signed off that is what will be done as an action plan.

Mr. Niglio stated Bruce will need to do an inventory of all their goods in the garages under his control, the fire department will need to do all their assets and the Police department will need to go through and list all their equipment and assets.

Mr. Niglio stated years ago when Mr. Politza was fire chief he always had a list of inventories, but we have not had that in quite a while. Fire Chief Siko stated they do inventory. Mr. Lutz commented that this is required because of the loan with USDA. Mr. Niglio stated correct adding it is all going to help us with our insurance and will make sure we are adequately insured.

Mr. Niglio stated the other finding was adjusting from cash to accrual. Mr. Niglio stated we will work that out with the auditors.

SOLICITORS REPORT- (Edward Greco)

The Solicitor said as stated earlier he has been working on the Powell Building and trying to reach agreement. He stated there is a hearing in Sunbury on Friday on that Mt. Carmel Industrial Fund.

Mr. Lutz elaborated that there was some money from the Industrial Development in Mt. Carmel Area and stated the money has been there for years and somebody said its been there for a million years let's dissolve it, Mt. Carmel Borough wants all of it. Kulpmont Borough has a difference of opinion.

POLICE CHIEFS REPORT – (Nathan Foust)

Chief Foust stated it was a busy month and stated the police report he provide is a little more broken down. Mr. Lutz commented that it is a nice report.

Solicitor Greco stated a letter is needed for the Northumberland County Tax Collection Committee appointing a delegate and an alternate. The Solicitor stated Mr. Niglio was appointed as the delegate and himself as an alternate. The Solicitor stated every year a motion is needed appointing a delegate and an alternate. Solicitor Greco stated a letter must be then sent naming the delegate and alternate once appointed.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Fanella to appoint the Treasurer Mr. Niglio as the delegate and Solicitor Greco as an alternate to serve on the Northumberland County Tax Collection Committee.

VOICE VOTE-

Unanimous

FIRE CHIEF REPORT – (Raymond Siko)

Fire Chief Report Attachment #3

Mayor Bozza questioned what is going on with the lights on 221. Chief Siko stated we will find out more adding we are do for service on that in March and stated we need to find out what we are going to do with the two emergency lights that are out because it will not pass inspection without them.

Mayor Bozza stated this is something we have been talking about for a couple months. Chief Siko replied yes, we just never moved on pricing. Chief Siko stated he had a gentleman come in on pricing and what it would cost for the conversion, it went to the wayside. Chief Siko stated that we are at the point now that it must go to KME and they need to replace the two strobes to pass inspection, that's just..... Mr. Lutz questioned if it needs to be inspected in the beginning of March or the end of March. Chief Siko replied the end of March.

Chief Siko stated if it goes to inspection, they will call him and say the strobes need to be replaced and will give a price and at that time he will call and get permission to replace it. Chief Siko stated it is just getting to the point where the strobes are starting to nickel and dime us.

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

Report included under Code Health Enforcement as in the packet.

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

Report attachment #4

Mr. Lutz stated now that we are progressing with the Powell Building we are moving down to some buildings on Chestnut Street and stated we will be needing some help from the Fire Department and the Police Department. Mr. Lutz stated we will begin to proceed with some public nuisance charges.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella announced the food surplus distribution will be held in the Borough on February 21, 2019 from 8:00 a.m. until 12:00 noon at the Borough Garage.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to approve the purchase of 4 sets of cutting edges and 2 elgin broom.

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

Mr. Fanella stated service and cleaning is needed on heating units in the municipal building and the truck room. Mr. Fanella stated a heating unit in the Garage is cracked and on Saturday it was not running, and we had to have Baluta Plumbing had to come out on that call for a cost of \$281.75 for that call which included him repairing the steam genie.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Chesney to pay Baluta Plumbing \$281.75 for the repairs and emergency call out.

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

Mr. Fanella stated the heating unit at the garage is cracked and needs to be replaced He stated they received one estimate on it so far for \$6,875.00. Bruce Graff stated it is cracked and releasing carbon monoxide. Bruce Graff stated it is not that bad going in and out of the doors adding he went and got a tester today and it went off.

Mr. Lutz stated the whole unit needs to be replaced and we have one quote we need a couple more. Mr. Fanella asked Bruce to get a couple more tomorrow from Miller's and LTS, anybody.

MOTION- Mr. Bielskie made the motion and Mr. Fanella seconded the motion to spend up to \$7,000.00, the lowest bid for a new heating unit in the garage.

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

Bruce Graff asked if it is possible for Russ Moroz to call tomorrow and stated he is going to be busy with snow. Russ Moroz replied that he will call for quotes.

Mr. Fanella stated concerning recycling we did put a notice in the paper before that if due to weather we don't pick up curbside recycling we will pick up the next day if weather permits.

Mr. Fanella stated we received a quote and contract to sign with Ehrlich for \$852.00 to spray the bank. Mr. Fanella suggested that we do not pay to spray that bank this year and spend some money to get some vegetation on that bank instead of the weeds and make that look better.

Mayor Bozza stated he knows Ehrlich was spraying for snakes also. Mr. Fanella replied he was spraying to kill the weeds, its bare ground. Mayor Bozza questioned Bruce Graff if they were spraying for snakes. Bruce Graff replied there were copperheads there also. Mayor Bozza then said Council may do what they think, but in them rocks....

Mr. Fanella stated he recommends we don't sign that agreement and we consider going with shrubbery instead.

FINANCE/PURCHASING– (Robert Slaby)

No Report

Mr. Lutz stated there is a financial statement in the packet for January 2019. He stated the statement shows we collected \$72,815.00 and we spent \$70,219.00. Mr. Lutz stated there are a couple issues with the statement one is that we pay the Sewer Authority's portion of health insurance and are they then reimburse us about \$4,600.00, we fill up the gas tank up at the garage for \$1,700.00, there were some pension items and a good bit of overtime for the police department about \$2,000.00 that most was primarily from holiday pays and so there is probably about \$12,000.00 of expenses in there that are really not expenses or are not reoccurring.

Mr. Lutz stated with that said, the budget is about \$58,500.00 per month and if we were to spend \$60,500.00 we would still be over \$2,000.00 over budget. He stated we must have a couple months of results to have enough information to see if we are over or if it is just stuff that starts up. Mr. Lutz stated if it would be \$2,000.00 that would be \$25,000.000 more by the end of the year and we are already thinking we are going to have somewhere between \$30,000.00 or \$40,000.00 deficit. Mr. Lutz stated we have the money, but that doesn't mean that we should just spend it.

CODE HEALTH AND SAFETY (Stephen Bielskie)

Mr. Bielskie stated we talked the other day about talking with the fire company about marking these bad houses and buildings for one or more reason, let people know they are dangerous, and first responders know they are dangerous. Fire Chief Siko stated he is researching it and will then review with the solicitor. Chief Siko stated there were some property owners that filed suit for various reasons when they were marked. Chief Siko

stated to protect the Borough he would like to research this further and talk with to Solicitor about it.

Mr. Chesney commented that the Borough has been issuing fines for property violation problems and stated he just wants it known to the public that we do not want fines and to take people to court. Mr. Chesney stated what we would much rather is see that money be spent in rectifying the situation that you are getting fined for such as trash removal, home repairs, shoveling snow and various ordinance violations. Mr. Chesney stated we will enforce the ordinances, if there is a problem and it is identified you will get fined. He stated we are not in the business of fining, we are in the business of making Kulpmont a better place to live.

Mayor Bozza questioned the Solicitor on the process if someone gets a snow fine on Chestnut Street and does not pay it what the process is. Solicitor Greco replied the officer will then file a citation and it will go to the magistrate and then there is a hearing. Mayor Bozza replied "all of this for \$100.00." Mayor Bozza stated it will end up costing them more then. The Solicitor replied that is correct, there are court costs.

Mayor Bozza stated it is costing us money also to go fight a \$100.00 ticket that they are not going to pay. Mr. Chesney replied they will eventually pay. Mr. Bielskie commented, it is pay me now or pay me later, but you will eventually pay.

ORDINANCE COMMITTEE - (George Malakoski)

No Report

GRANTS/RECREATION - (Walter Lutz)

Mr. Fanella stated he was approach from Jeff Gilotti as the Vice President of the Kulpmont 100. He stated the council before was for the dog park down at the field and he stated his question is if this council is in favor of the dog park because they have a \$8,000.00 grant they would like to put in for the dog park.

Mr. Lutz suggested before they do that they should come back to Council with what they are planning to do. Council expressed they were all in favor of the grant and agreed before anything is done, or they apply for the grant that they come back and present what they plan to Council.

PERSONNEL- (Michael Sinopoli)

No Report

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

Mr. Chesney stated in the beginning of the meeting we were updated on the progress at the Mill.

Mr. Chesney stated in the near future the committee would still like sit down with the Fire Department and go over what we have here and clarify the complete status of what our Fire Company is all about. Mr. Chesney stated possibly we could set up a meeting for the end of February or the beginning of March. The Fire Chief agreed to meet.

Mr. Chesney thanked the Fire Chief and the EMA people for inviting Council to their banquet they had the other day. He added it was very nice for them to invite Council to witness what was going on adding it was appreciated and the food was very good.

Mr. Chesney stated the only other thing he has to say is that the blight fight will continue.

OPPORTUNITY FOR CITIZENS TO BE HEARD

No one spoke

OLD BUSINESS –

No one spoke

NEW BUSINESS-

Mr. Chesney addressed the Mayor and stated they wanted to check with the Chief to see if there is anything that could be altered with the police schedule. Mr. Chesney asked Mayor Bozza if he could get a real good idea on what the schedule is and then possibly he could report to them.

Mayor Bozza questioned Mr. Chesney on what the questions are. Mr. Chesney replied they are on 10 hour shifts and he asked if there is any feasibility on looking at 8-hour shifts. Mayor Bozza replied, that will be up to the officers and commented that he thought it was working very well.

Mr. Chesney stated they are reviewing everything at the beginning of the year and are just asking to review that schedule and make sure that it is the best we could have. Mr. Lutz suggested the Committee and Mayor to meet and discuss so that everybody is good.

Mr. Fanella stated when we were talking about the heating we never talked about the one in this building or the truck room needing service. He stated the one in the truck room needs some attention. Russ Moroz stated he will ask for a price quote on these here also, service on both.

ANNOUNCEMENTS

Mr. Lutz announced there will be no meeting on Wednesday February 13th.

Mayor Bozza announced Happy Valentine's Day

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval _____