

**KULPMONT BOROUGH
RE-ORGANIZATION MEETING
JANUARY 2, 2018**

Amended January 2, 2018 meeting minutes

Magisterial District Judge William C. Cole performed the swearing in of Newly Elected Mayor Nicholas Bozza and Councilmembers Stephen Bielskie, Robert Chesney, Robert Fanella, Michael Sinopoli and Keith Tamborelli and Tax Collector Linda Nolter.

Mayor Bozza called the meeting to order.

The Pledge of Allegiance to the Flag by the body present.
Kulpmont borough Council held its Re-Organization meeting
Monday, January 2, 2018 at 7:00 p.m. in Council Chambers

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

ABSENT: None

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Treasurer Paul Niglio

PRESENT: Secretary Rhonda Wilk, Code Officer Russ Moroz

OTHERS PRESENT: Joe Sheganoski, Jr., Rose Bielskie, Bernadette Fanella, Jeffrey Gilotti, LouAnn Tamborelli, Linda Nolter, Briana Tamborelli, Dominick Tamborelli, Vincent Chesney, Claudia Chesney, Ray Siko, CJ Mannello, Kevin O'Hearn

The Mayor declares all appointed Borough Positions Vacant and we need to appoint the following: President, Vice President, Solicitor, Borough Treasurer, Borough Supervisor, Delinquent Tax Collector, Vacancy Board, Borough Physician, Health Board Officer and Emergency Management Coordinator.
calls for a nomination of President.

Mayor Bozza calls for nomination of Council President.

Mr. Chesney nominates Walter Lutz.

No other nominations.

MOTION- Mr. Chesney calls for a motion to close nominations for President and was seconded by Mr. Fanella.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI(yes)LUTZ(yes)

7 Yeas – 0 Nays

Mr. Lutz stated we will now take nomination for Vice President. Mr. Lutz nominated Mr. Bielskie for Vice President and asked if there are any other nominations.

There were no additional nominations.

MOTION- Mr. Lutz makes the motion to close nominations for Vice President and was seconded by Mr. Chesney.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI(yes)LUTZ(yes)

7 Yeas – 0 Nays

Mr. Lutz states that all positions need an approved salary. Mr. Lutz stated that we do not have everything squared away because a couple of things came up.

Mr. Lutz states previously Solicitor is William C. Cole served at a \$2500.00 retainer and \$35.00 per hour for extra services.

MOTION- Mr. Lutz nominated to appoint Edward Greco at the same retainer and hourly rate for extra services and was second by Mr. Tamborelli.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI(yes)LUTZ(yes)

7 Yeas – 0 Nays

Mr. Lutz stated that currently our Treasurer is Paul Niglio at \$2500.00 per year and \$800.00 expense allotment.

MOTION- Mr. Lutz made the motion to appoint Paul Niglio as Treasurer at the same money as last year and was seconded by Mr. Malakoski.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI(yes)LUTZ(yes)

7 Yeas – 0 Nays

Mr. Lutz stated that the Borough Supervisor is currently Bruce Graff at an extra \$1440.00 per year.

MOTION- Mr. Lutz makes the motion to appoint Bruce Graff at \$1440.00 per year and was seconded by Mr. Chesney.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI(yes)LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz states Vacancy Board is currently Paul Niglio and asks if there is a motion to appoint to the vacancy board.

MOTION- Mr. Lutz made the motion to appoint Paul Niglio to the Vacancy Board and is seconded by Mr. Fanella.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated that there are two positions that we will need to get organized later and that is the Borough Physician and Health Board Officer.

Mr. Lutz stated that the Emergency Management Coordinator is currently Kevin O’Hearn and it’s at \$1200.00 per year.

MOTION- Mr. made the motion to table the appointment for Emergency Management Coordinator and was seconded by Mr. Sinopoli.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Niglio stated that while Rhonda is the Administrative Secretary here, a motion is also needed to appoint her Borough Secretary.

MOTION- Mr. Lutz made the motion to appoint Rhonda Wilk Borough Secretary and was seconded by Mr. Chesney.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz asked for the Fire Chiefs to come forward and for the Mayor to swear them into office now.

Fire Chief Raymond Siko, Deputy Chief Jeffrey Gilotti and Assistant Chief Kevin O’Hearn.

Mr. Lutz stated that a motion is needed to re-adopt all of the current and existing procedures and policies governing the Borough its officials and employees.

MOTION - Mr. Tamborelli made the motion and was seconded by Mr. Bielskie to re-adopt all the current and existing procedures and policies.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated that we need to name a Borough Depository which is currently BB&T Bank.

MOTION- Mr. Sinopoli made a motion that we keep BB&T and was seconded by Mr. Fanella.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (no) LUTZ(yes)
6 Yeas – 1 Nays

Mr. Lutz stated the next thing on the agenda is the committee appointments and stated that we are not quite organized on that yet. Mr. Lutz stated they will probably be ready tomorrow.

Mr. Lutz asked for a motion to set the meeting schedule for 2018. Mr. Lutz stated currently we advertise for every Tuesday of the month. Mr. Lutz stated he will step down from the chair and make a motion to meet every second Tuesday of the month at 7:00 p.m. and if we have a need for additional meetings they will be advertised in the paper.

MOTION- Mr. Lutz made the motion to set the monthly meetings for every second Tuesday at 7:00 p.m. and was seconded by Mr. Fanella.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated that as far as the re-organization and things of that nature, we covered it and if there is anything else we will cover it at the meeting one week from tonight. Mr. Lutz stated that we will now open the meeting for new business.

NEW BUSINESS:

Mr. Chesney stated he would like to reopen the budget to investigate it a little more thoroughly to know where we stand.

MOTION- Mr. Chesney made the motion to re-open the budget and was seconded by Mr. Sinopoli.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

MOTION- Mr. Tamborelli made the motion to purchase and have Quick Books installed as an aid to our budgetary.

Mr. Lutz stated he has already purchased it and has it at home on his table. Mr. Lutz stated he will hope to be reimbursed. Mr. Lutz stated in the next couple of days we will start installing.

Mr. Lutz stated Mr. Mannello agreed to be our financial consultant and stated he spoke with Mr. Niglio and we have about 27 financial people now and are on a cash basis and accrual basis, what does that mean.... we will discuss that later.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated he would like to forego salary for one year. Adding to foregoing their salary for one year was Mr. Sinopoli, Mr. Tamborelli and Mr. Bielskie.
Mr. Lutz stated he will step down from the chair and make a motion.

MOTION- Mr. Lutz made the motion that his council salary no longer goes to the Fire Department and was seconded by Mr. Bielskie.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated that the budget as it now sits is \$118,000.00 in the hole. Mr. Lutz stated he will step down from the chair and make the motion to forego salary for one year. Mr. Sinopoli, Mr. Tamborelli and Mr. Bielskie agreed to forego their salary for one year as well. Mr. Chesney stated he may join in that after review of the budget.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Fanella to forego council salary for one year for Mr. Lutz, Mr. Sinopoli, Mr. Tamborelli and Mr. Bielskie.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Tamborelli stated people were wearing coats when he walked into the building today. He stated he would like to stop delaying solving the heating problems and stated a letter needs to be sent to the contractor adding we need to resolve it one way or the other.

Mr. Bielskie asked Russ Moroz when the last time they were here. Russ Moroz replied about a month ago and stated that they had it working and it went down last week adding he had to turn the breaker back on. Russ Moroz stated that it appears to work on a twelve-hour cycle and it will heat for an hour or two within that cycle and then it shuts right down. Russ Moroz stated he believes it is in the controls.

Mr. Lutz stated he thinks what Mr. Tamborelli would like us to do is to send a letter to the contractor and say “enough,” and give a deadline and see where it goes from there. Mr. Tamborelli stated the deadline for him is 30 days. Mr. Lutz commented Mr. Tamborelli is very patient. Mr. Fanella stated he would give then 7 days. The Solicitor stated he thinks that 7 days is a little aggressive and 14 days would be more reasonable. Solicitor Greco stated that he understands the urgency.

MOTION- Mr. Tamborelli made the motion and was seconded by Mr. Fanella to have the Solicitor send a letter to the HVAC Contractor to give them 14 days to respond on the heating issue.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated there are a whole series of issues with this building and stated he will relinquish the chair and make a motion to meet with the Architect Rocky Baer.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Bielskie to have the Solicitor send a letter to the Architect Rocky Baer requesting to set a meeting within 14 days on the building issues.

Mr. Tamborelli questioned if we could make that meeting at the absolute latest by the next council meeting so we can resolve it, because this has been dragging on. Mr. Lutz stated that people that are particularly knowledgeable should meet with him.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated that Mr. Diminick thinks we owe him some more money to finish the demolition and the previous council does not think we owe him anymore money. Mr. Lutz stated Mr. Diminicks attorney sent a letter demanding payment and stated he feels we should send him a letter and try to have a meeting and figure something out.

MOTION- Mr. Lutz made a motion and was seconded by Mr. Sinopoli to send a letter to Mr. Diminicks attorney to request a meeting with Mr. Diminick.

Solicitor Edward Greco stated a letter should go to his attorney, versus the individual because he is being represented, the letter should be sent attorney to attorney.

Council agreed. Mr. Tamborelli asked that the incoming council could review the documents and contract. Mr. Lutz replied yes and stated he will provide a little history. Mr. Lutz stated there was a two-page document about the tear down of the building and there was a one page additional work order to push some stuff into the foundation and the point of contention is that Mr. Diminick contends that the stairway is part of the foundation.

Mr. Lutz stated that he believes we have \$22,000.00 of his money and he is looking for another \$7,000.00. Mr. Lutz stated he is hopeful that we can have a chat and kind of figure it out.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
7 Yeas – 0 Nays

Mr. Lutz stated he want to address the budget deficit. Mr. Lutz stated the deficit is \$118,000.00 as in the budget that was advertised and stated that a motion was made to open the budget and get organized on it. Mr. Lutz stated his is going to relinquish the chair and make a motion to eliminate the part time Administrative Secretary position.

MOTION- Mr. Lutz made the motion and was seconded by Mr. Fanella to address the cost and eliminate part time Administrative Secretary position.

Mr. Lutz questioned if there was any issue or comment. Nobody replied.

ROLL CALL VOTE- BIELSKIE (yes), CHESNEY (yes), FANELLA(yes), MALAKOKSI (no), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
6 Yeas – 1 Nays

Mr. Lutz stated on Thursday January 4th at 7:00 p.m. there will be a town hall meeting held at the West End and the intention of the meeting is to let the citizens come in to talk about the police protection situation. Mr. Lutz stated we have a proposal from the Mount Carmel Township and stated he will put some copies out and we will have a discussion. Mr. Lutz encouraged citizens to come and discuss it because it is a big issue.

Mr. Lutz stated that if you look at the budget it is over \$118,000.00 and that is not including the raises. He added when you look at where most of the money and increase is it is in the police budget. Mr. Lutz stated we have all kinds of things we have to consider, leave it as it is, don't do anything, go with the Pennsylvania State Police or go

with the Township, and all of them have different ramifications and none of them are perfect.

Mr. Lutz stated in the context of the \$118,000.00 deficit there were some raises given and typically those raises should have been done in January. He stated he would like the personnel committee to take a look at those raises in the context of the budget deficit and what's going on out there in the world and come with a recommendation. Mr. Lutz stated that the committee and asked if anyone would like to be on that committee to speak up and stated will have to do a little homework and may even want to contact the previous council as to why those raises were given out at that time and for that amount.

Mr. Lutz Mr. Chesney stated that he believes that we are very fortunate and have very good workers, he believes so. Mr. Chesney stated in lieu of the deficit that he has referred to a few times. Mr. Chesney stated he would like to make a motion to just freeze those wage increase, and if it is appropriate to give out those raises in the proportion that they have been listed by the previous council and if it merits it then fine and if not, then we may have to re-examine that to see if they have to be adjusted in some way.

MOTION- Mr. Chesney made the motion to freeze the raises that were given at the last meeting until a total investigation could be had.

Solicitor Edward Greco clarified that there were raises that were given to the employees and the motion is to freeze the raises. Mr. Niglio stated they were effective immediately. Rhonda Wilk stated they were effective January 1st.

Solicitor Greco asked Council to meet briefly in executive session to discuss.

Mr. Lutz stated that Council will now meet to have a short executive session to discuss personnel issues.

Solicitor Edward Greco stated council met in executive session to discuss personnel issues for approximately 12 minutes.

Correction/ Addition 3/13/2018

A discussion took place on Tri-County Cog. Solicitor Greco stated with no contract with the other company Council may appoint Tri County Cog to do inspection service for the Borough.

MOTION- *Mr. Tamborelli made the motion and was seconded by Robert Fanella to appoint Tri County Cog as the inspection service for Kulpmont Borough.*

ROLL CALL VOTE- BIELSKIE (abstain), CHESNEY (yes), FANELLA(yes), MALAKOKSI (yes), SINOPOLI (yes), TAMBORELLI (yes) LUTZ(yes)
6 Yeas – 0 Nays – 1 abstain

Mr. Chesney stated that he will table the motion to freeze the raises until further investigation.

Mr. Manello stated that on Chestnut Street you could almost guarantee 15 tickets a day or more for speeding on Chestnut Street. Mayor Bozza stated he thinks there is a problem there on Chestnut Street to stop cars and stated they had better check into it. Mr. Tamborelli disagreed and stated he thinks the police have a right to pull over anyone anywhere in their jurisdiction.

Mr. Tamborelli stated that the problem is that it is great to say, "I want you to watch speed on Chestnut Street," he added they could sit there all day and not stop anybody and there is nothing you could do about it per-say, because you are not allowed to mandate them to write anything.

Mr. Manello said the Mayor controls the police department correct, so if they were out on speed traps three times this week and they did not get anyone, there is something wrong.

Mr. Tamborelli replied that they are not speed traps, they are speed enforcement. Mr. Manello stated that his point is if we have our own two cops focus on this and then we could still supplement with the Township for nights and weekends. Mayor Bozza commented there is a lot of stuff in between there that you don't see, domestic disputes, guys getting shot with pellet guns..... Mr. Manello said you could analyze what the guys did over the last six months that should all be part of the analysis to see if they are needed. Mr. Manello stated if they are not, we need to get them to do something, look at what they are doing now and what can they do.

Mr. Tamborelli stated that he thinks that the Mayor will be immediately be taking over the police department and their schedules and what they are doing and all of that because not all of that comes to a stop because we are looking at merging.

Mr. Lutz stated that we advertised in four newspapers and we got two candidates. Mr. Lutz stated with a new Mayor and Council we may need to go over that again. Mr. Lutz stated that he put a model together with three officers and four officers. Mr. Lutz stated with our two officers are putting in 80 hours per week, but that is not out in the street. Mr. Lutz stated that investigations take an incredible amount of time which takes them off the street. Mr. Lutz stated in traffic fines for 2017 we collected \$325.00.

Mr. Tamborelli stated there were 22 traffic citations issued for the year, two full time guys and stated he has talked to many Chiefs and that is absolutely embarrassing in the quantity of numbers. Mr. Lutz stated with a new Mayor and all one of the options is to maybe regroup.

Mayor Bozza state he would love to keep a police force here but by us getting the township, he is hoping that if the one guy is at the courthouse that they would have somebody down here. Mr. Lutz questioned Russ Moroz on how long he sits and waits at

the magistrate office. Russ Moroz stated on average 2, 2 ½ hours. Mr. Tamborelli stated that the Magistrate here is a cattle caller and when over the other side of the river, if your appointment is at 9:05 at 9:05 you're in there. Mayor Bozza stated even if someone fights a speeding ticket our guys have got to be there.

Mayor Bozza stated we have got to hash it out, really think hard and hash it out. Mr. Tamborelli stated that he has personally seen situations where guys are watching football games. Mayor Bozza stated we all know that. Mr. Lutz stated that we will look over the proposal that we got from the Township and the other option is the State Police. Mayor Bozza stated to him there is nothing more important than protection of our residents and the police to be seen for our citizens.

Mr. Manello stated we have a new magistrate and we may be able to work with the new magistrate. Solicitor Edward Greco stated he does not disagree with what he is saying but the court calendar is set up that Judge Cole's criminal cases are one day a week, they will be Wednesday mornings. Solicitor Greco stated there are transportation issues because we do not have a jail, they cannot get enough constables to transport. Solicitor Greco stated you do not want to tie up your police officers to transport prisoners, because talk about a waste of time and money. He continued to say that they system right now is set up, someone must go to York County, Lebanon County. Solicitor Greco stated because there is no jail they are trying to leave a block so that there are people to bring prisoners in.

Solicitor Greco stated when we have a jail that may be different. Solicitor Greco a miscellaneous summary day, there may be a two hour wait, they do civil and speeding tickets all at one time and you just sit there, it is a waste of time. Mr. Tamborelli stated the problem he has is, how many hearings do you really have, how many criminal hearings when you have 22 citations. Mr. Tamborelli stated for two guys and even if that was two hours per guy over the last year, that is twelve times you have to go to court at two hours. Mr. Tamborelli stated the volume of tickets and street time. Mr. Tamborelli stated he is sure the Mayor is putting together a daily log and stated he would be glad to help him with putting together a log to spell out from the beginning of their shift until the end of their shift so that you have an idea on what they are doing. Mr. Tamborelli stated in other municipalities he has already put a note under a business's door to let them know that he was there checking on things.

Mr. Manello stated he thinks that you must be careful on the police pension fund, you cannot comingle funds you still have to contribute to that and you still have to make payments to it. Mr. Lutz stated it is over funded. Mr. Manello stated there is no such word. Mr. Lutz stated he is not going to get into an accounting discussion. Mr. Tamborelli stated that once you throw that switch and mess with that fund it will be very difficult to put that back. Mr. Tamborelli stated now is the time to put the resources and education into it before you throw that switch and nobody's given the Mayor as of three hours ago to throw that whip out there and stated he thinks he needs to do that.

Mr. Manello stated he will assist and waive his fee. Mr. Tamborelli questioned Mr. Manello if there are some audits that need to be done now, we did not declare and auditor and asked if there are audits that need to be done now. Mr. Lutz stated that we went down under the advice of Mr. Manello and he was not on the clock at that time, he and Mr. Bielskie went down and spoke to Klacik and Associates. Mr./ Lutz stated they are going to put a proposal together adding what they really need the audit for is the USDA loan, which we have until April. Mr. Lutz stated he wants everyone to understand this is a \$600,000.00 a year business, this is not hard.

Mr. Lutz stated the initial audit, you have to get all kinds of paperwork and would take about two weeks, after that he stated he would be surprised if it is more than three days. Solicitor Greco stated audits are expensive. Mr. Lutz stated he would think it will be five or six thousand dollars, they will lose money the first year and then make money the second year. Mr. Lutz stated we must be careful because they are rendering an opinion on the financial statements of the borough. Mr. Lutz stated he thinks everyone thinks a forensic accountant is going in there and that is not it, it's an audit. Mr. Manello stated his opinion is to get the auditors on board as soon as possible, its tax season. Mr. Tamborelli stated if there is a necessity between now and the 9th for Klacik. Mr. Manello replied that he feels they should be hired on the 9th if they are going to be hired and get them on board. Mr. Tamborelli questioned if there is something that usually done in January. Rhonda Wilk replied that we usually have our internal auditors Dianne Padula, Donna Rompallo and Elizabeth Bendas are usually doing the audit and completing it now.

The Solicitor stated his recollection is that those audits have to be completed by a certain date. Mr. Manello stated Paul Niglio would know better than him, but he thinks it would need to be done for DCED. Mr. Lutz stated that is some baloney down at the state, your making reference on what goes out to the DCED. Mr. Lutz stated you can trust me that he gives them numbers they send them down, he stated the government audit from the state, you cannot even compare it. Mr. Chesney asked if the internal auditors should be doing the regular audit they do and then have Klacik do the other. Mr. Lutz stated that Mr. Manello is going to call Kacik and get everything squared away.

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**RHONDA WILK
SECRETARY**

DATE OF APPROVAL