

KULPMONT BOROUGH
REGULAR MEETING
JUNE 11, 2013

Opening Prayer by Councilperson Joseph A. Winhofer
The Pledge of Allegiance to the Flag by the body present, Kulpmont Borough Council
held its regular monthly meeting Tuesday June 11, 2013.

Roll call was taken and the following members were present: Mayor Myron F. Turlis, Nicholas Bozza, Clarence Deitrick, Stephanie Niglio, Philip Scicchitano, Bruno R. Varano, Joseph A. Winhofer and Stephen Motyka.

APPOINTED POSITIONS: Borough Solicitor William C. Cole, Treasurer Paul A. Niglio and Fire Chief Raymond Siko.

PRESENT: Code Official Russ Moroz, Borough Secretary Rhonda Wilk.

OTHERS PRESENT: Brandon Goretsky, Lou Apichell, Ray Siko, Joe Pancerella, Frank Bergonia, Bernie Nestico, Steve Matzura, Joe Cesari and Jeff Gilotti.

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

No one spoke

PRESIDENTS REPORT (Bruno R. Varano)

Mr. Varano spoke briefly on the topic of citizens opportunity to be heard reminding citizens to stay on track of the topic they wish to speak on and not to be repetitive.

MAYORS REPORT (Myron F. Turlis)

Mayor Turlis states that he received a letter from the Knights of Columbus requesting street closure of Fir Street between 8th and 9th Street for this years wine festival to be held on October 12th during the hours of 12:00 to 6:00 p.m. He states that he also received a letter from Holy Angels Church requesting street closure of Fir Street between 8th and 9th Street for this year's parish picnic to be held on August 2nd and 3rd.

MOTION- Mr. Deitrick makes the motion and was seconded by Mr. Bozza to grant closure of Fir Street for the Knights of Columbus wine festival and the Holy Angels picnic.

VOICE VOTE-

Unanimous

Mayor Turlis states that a requirement in applying for a special events permit is that a motion be made to apply for the Special Events permit for this year Car Cruise to be held on June 30th.

MOTION- Mr. Deitrick makes the motion and is seconded by Mr. Motyka to apply for a special events permit needed for the car cruise.

Mr. Varano questions Mr. Cole as to if we need to get some kind of an insurance policy for that day for this special event. Rhonda Wilk states that she had to provide a copy of the Boroughs liability insurance in with the application and states that it was part of a requirement.

Mr. Varano questions if we should have an additional policy or if that is enough.

Mr. Cole states that he thinks that part of the concern has been burn outs and tearing up the road, the wear and tear on the state route.

Mr. Deitrick questions on if he feels the event should have its own liability and asks if he feels that would protect us anymore to have that. Mr. Deitrick states that picnics and other events are required to have their own insurance.

Mr. Cole states that it would be layering as much insurance as there is whatever happens they would have to go to each carrier and it would sort of indemnify the borough if that were the case.

Mr. Deitrick states that he would think if it is not to expensive we should get the one day policy. Mr. Varano questions if he would like to set a limit. Mr. Deitrick states that he does not even know what the cost may be or what even to set the limit at.

Mr. Varano questions Mr. Cesari as to if the Car Cruise would consider to pay for it.

Mr. Cesari states that they do not take in enough money until they pay all expenses they do not take in enough money.

Mr. Niglio states that the borough has general liability and states that he does not feel anything additional is needed.

Mr. Varano states that we are covered under our general liability so, if that will be enough then that is fine, he states his question is that we have enough. Mr. Varano states so, we don't need any additional insurance we already have insurance so lets then get back to the vote.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)
7 YEAS – 0 NAYS

Mr. Niglio asks Mayor Turlis if he was contacted by anyone at Holy Angels concerning their parade on July 7th. Mayor Turlis states that he was not contacted.

Mr. Niglio states that he is bringing it up because council does not meet again until July 9th. Mayor Turlis states that in the past fire police helped with that and it is just a couple blocks so nothing is needed as far as a permit, Mayor Turlis asks Mr. Niglio to contact him or have someone contact him if he hears anything on that.

SECRETARY REPORT (Rhonda Wilk)

Rhonda Wilk states that approval is needed on the meeting minutes from the May 14th meeting.

MOTION- Mr. Deitrick makes the motion and is seconded by Mrs. Niglio to approve the meeting minutes from the May 14th regular monthly meeting.

VOICE VOTE-
Unanimous

TREASURERS REPORT (Paul A. Niglio)

Mr. Niglio states that a motion is needed to pay the bills and approve the financial statement. Attachment #1

MOTION- Mr. Deitrick makes the motion and was seconded by Mr. Scicchitano to pay the bills and approve the financial statement

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)
7 YEAS – 0 NAYS

SOLICITORS REPORT (William C. Cole)

No Report

POLICE CHIEFS REPORT (Richard L. Wilson, III)

Police report attachment #2

FIRE CHIEFS REPORT (Raymond Siko)

Fire Chiefs report attachment #3

Ray Siko states that borough residents on the 1300 block of Maple Street may experience discolored water on Wednesday June 12th from 6 to 9 p.m.

EMERGENCY MANAGMENT (Kevin O’Hearn)

No Report

BUILDING INSPECTORS REPORT (Stephen G. Bielskie, Sr.)

Building inspectors report #4

CODE/HEALTH ENFORCEMENT OFFICERS REPORT (Russ Moroz)

Code enforcement officers report attachment #5

PERSONNEL COMMITTEE (Philip Scicchitano)

No Report

SERVICE/FACILITIES COMMITTEE (Nicholas Bozza)

Mr. Bozza states that we got some estimates to have some streets paved and the nine streets that we want to pave will come to \$178635.00 and we are not able to do that. Mr. Bozza states that we can spend approximately \$65,000.00 to \$75,000.00 so we will have to review the list of street and with that amount we should be able to pave three streets so we will have to decide on which streets we will be paving.

Mr. Varano states that he will have to contact the water company, sewer and gas company to see if they want to do any upgrades before they are paved. Mr. Bozza states that he will do that.

Mr. Bozza states that some emergency repairs came up for the 2006 Chevy Police car and the cost was \$433.02, tie rods, sway bars, exhaust system and inspection.

MOTION- Mr. Bozza makes the motion and was seconded by Mr. Deitrick to pay for the emergency repairs needed for the 2006 Police car.

VOICE VOTE-

Unanimous

Mr. Bozza states that we estimates were received to have the Fire Police vehicle lettered one from KC Decals for \$300.00 and a second estimate from Win Signs for \$275.00.

MOTION- Mr. Bozza makes the motion and was seconded by Mr. Deitrick to purchase the lettering for the fire police vehicle from Win Signs Graphics.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (abstain)
6 YEAS – 1 Abstain

Mr. Bozza states that we got the new Bob-Cat in and states that we need to get a cutting edge for the bucket for \$189.36 and a beacon for the new roller for \$85.00 and a harness system for the Bob-Cat for \$295.00. Mr. Bozza states that the total for everything is \$569.36.

MOTION- Mr. Bozza makes the motion and is seconded by Mr. Deitrick to purchase the cutting edge, beacon and harness system for a total of \$569.36.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)
7 YEAS – 0 NAYS

CODE/HEALTH and SAFETY COMMITTEE (Bruno R. Varano)

No Report

ORDINANCE COMMITTEE (Stephanie Niglio)

Mrs. Niglio states that she did not have a report but something has come up and states that in conjunction with a letter that we received from the county regarding the blight program she states that she is going to make a motion to advertise for an ordinance entitled Kulpmont Borough Neighborhood Blight Reclamation and Revitalization Ordinance and states that the purpose of this ordinance is to implement in the Kulpmont Borough the provisions of Act 90, which will be known as the Neighborhood Blight Reclamation and Revitalization. Mrs. Niglio states that they have an approved template that we are to use and states that we already agreed to implement Act 90 as part of the process with the blight program.

Mr. Varano questions then if she is making a motion to advertise it when you get it finished.

Mrs. Niglio states that Bill actually has it so.

MOTION- Mrs. Niglio states makes the motion and is seconded by Mr. Bozza to advertise the Kulpmont Borough Neighborhood Blight Reclamation and Revitalization Ordinance.

Mr. Varano states that if we want any blight money we are going to have to do that.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)
7 YEAS – 0 NAYS

GRANTS AND RECREATION (Clarence H. Deitrick)

Mr. Deitrick states that tomorrow morning at 11:00 a.m. we are going to hold our official Ribbon Cutting up at the Terry Miriello Playground and states that anyone able is welcome to come.

Mr. Deitrick announced that Saturday June 22nd we are going to hold our annual community yard sale with the rain date set for the following Saturday and states that on Sunday June 30th Joe Cesari's annual Car Cruise will be held in the Borough.

BUILDING COMMITTEE (Stephen Motyka)

Mr. Motyka states that he would like to make a motion to adopt the Best Value Contracting Resolution, he states that this assures that when we put the new building up we will hire local people. He states that for example the Anthracite off road-park just gave an over 1.5 million general trade's package to a company down by the Maryland boarder.

Mr. Motyka states also that the Shamokin Sewer Authority 26 million dollar job went to a company from Bethlehem. Therefore nobody from our community got the job in our local economy.

Mr. Motyka states that we can get our local people who are out of work working. Mr. Motyka states that this will assure local people are hired. The East End for example was completed two months after the end date. This contract states that you cannot bid on if you passed your complete by date, this also states that if you have any prevailing wage violations you cannot bid on the job. Mr. Motyka states that if a company has a minimum wage violation they cannot bid on the job.

MOTION- Mr. Motyka makes the motion and is seconded by Mr. Bozza to adopt the Best Value Contracting Resolution as part of the bid specs.

ROLL CALL VOTE- BOZZA (yes), DEITRICK (yes), MOTYKA (yes), NIGLIO (yes), SCICCHITANO (yes), VARANO (yes), WINHOFER (yes)
7 YEAS – 0 NAYS

SENIOR EXECUTIVE COMMITTEE (Winhofer, Varano and Deitrick)

No Report

OLD BUSINESS

None

NEW BUSINESS

MOTION- Mr. Motyka makes the motion and is seconded by Mr. Deitrick to draft a letter for support of Senate Bill Number 738 to Senator Gordner and State Representative Masser to have the gas company provide the option to hook up to gas.

VOICE VOTE-

Unanimous

ANNOUNCEMENTS

Mr. Varano wishes everyone a Happy 4th of July

OPPORTUNITY FOR CITIZENS TO BE HEARD

Robert Chesney of 929 Pine Street and states he would like to congratulate the Borough and Mr. Cesari and all involved with the playground. He states that if it is possible we as citizens can take a walk up near pavilion near the Legion and patrol that area. He states that under the pavilions they are hanging from the rafters, if they were sitting and enjoying fine but they are not.

Mr. Chesney states that under the Treasurers report he states as attendants would like council to consider that they could have a synopsis of the bills.

Mr. Chesney states that he knows that much work was put into the planning of the new building and stats that just as last month when he was there as a spokesman he would again just like to let council know that people are still stopping him in the street and asking that the project cease and desist until all options and any other alternatives that could be utilized are looked into.

Mr. Chesney states that he is asking to put the brakes on and as Mr. Motyka has stated that bids are not solidified and just to look at it again before we get into a bigger debt.

Mr. Motyka states that council met numerous times to try and get the costs down and states that he feels it is looking real positive to bring that down from 1.5 to 1.4 million. He states that he agrees with the other Council members that we cannot stay in this building much longer.

Mr. Chesney states that Mr. Motyka indicated that he has gone over the books and that taxes may be minimal and Mr. Niglio at the last meeting spoke on that many older citizens will not be affected by this because they receive a tax rebate. Mr. Chesney states that many do not understand this or really know that they can apply for this tax forgiveness and not all elders have help as Mr. Niglio

provides to his parents and states that he wishes that more assisted their parents.

Mr. Chesney states everywhere you look there are tax increases coming at us and in Kulpmont only ½ of the population are paying taxes and if you guys are saying that the building is inadequate then fine, you did the research but all he is saying and the citizens are saying is if council could re-address this again. People do not come to meetings but with talk of over 1 million dollars building project people are now saying please somebody say something and states that is why he is here.

Steve Matzura states that a few years ago a letter was sent to landlords on a new ordinance that was being implemented and states that a meeting was held with council and members that are no longer on council and states that they never had any more meetings that he knows of. Most recently he states that he heard of fees being increased and states that lawsuits are everywhere about ordinances and states Berwick is a fine example they have had lawsuits since 2007 and states that he met with the Borough Manager in Berwick and learned that their ordinance is changing to come up with something fair for everybody. He states that Mount Carmel was increasing their fees to \$100 per unit and there was 60 landlords show up there. He states that their answer was that the Ordinance held up in court numerous times but states that it has been defeated also. Mr. Matzura states that the entire ordinance, if you have an argument with a section of it that is what you are arguing. He states that they do not want to redo the ordinance until they can redo the entire thing.

Mr. Matzura states that in the ordinance there are several items that have been defeated in different areas of the states that should not be in there. He states that most cities, boroughs are reducing their fees because they are collecting too much money, he states that this has already been defeated. The money cannot be put in the general fund it has to be tenant landlord related. He states that someone is going to get angry and call a lawyer.

Mr. Matzura states that PROA is big on using small communities to set an example. The Pennsylvania Residential Owners Association is using small communities to fight the battle to get things legal. Mr. Matzura states that in Berwick they are done fighting, they formed a committee and decided to work together.

Mr. Varano states that at our last meeting it was decided that we would form a committee of landlords to work with and discuss these issues with our Code Health and Safety Committee and asks the landlords have the three names of committee members. The landlords discussed among themselves and four names were provided, they are Bill Maher, Lou Apichell, Steve Matzura and Bernie Nestico.

Mr. Varano states that the decision will have to be made as to when the committee and the landlords will meet and states that if possible it would probably work best to meet the same time each month. Mr. Varano states that these four will be meeting with the Health and Safety Committee being Mr. Varano, Mr. Scicchitano and Mr. Bozza.

Mr. Cesari states that they are now know as the Kulpmont Cruise Association not Committee anymore, the reason being is that they are incorporated and states that when they were trying to get money for the playground red flags came up that they could not use or be associated with the Boroughs tax ID number and states that is why they did it.

Mr. Cesari states that he discussed with the Kulpmont Football Baseball Association about doing the same thing because they could get so much more by doing so and not using the Boroughs tax ID.

Mr. Varano states that they cannot do that and they were told two years ago that they should apply for their own number and that it would benefit them to do so.

Mr. Varano states that the Borough would also like to thank Mr. Cesari for all of his hard work in the playground.

The Borough Solicitor William C. Cole states that the board met in executive session for approximately one hour and 10 minutes to discuss contractual, personnel and possible litigation matters.

Council went into executive session for approximately one hour and 10 minutes to discuss contractual, personnel and possible litigation matters.

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**RHONDA WILK
BOROUGH SECRETARY**

DATE OF APPROVAL

