

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
June 12,2018**

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
Tuesday June 12, 2018

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

ABSENT: George Malakoski

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

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

OTHERS PRESENT: Joe Politza, Barry Fetterman, Robert Michalkovich, Joe Cesari and Daryl Troup.

OPPORTUNIITY FOR CITZENS TO BE HEARD ON ANYTHING THAT IS ON THE AGENDA:

No one spoke

Mr. Lutz stated there was an advertisement for bids to be opened for the Pipe replacement project at this evenings meeting and stated now Mr. Fanella will open and announce the bids.

Mr. Fanella stated two bids were received. The first bid opened is from Blue Ridge Excavating and Hauling in the amount of \$20,788.00. The second bid was received from Smith Burial Vault in the amount of \$26,998.64.

MOTION- Mr. Bielskie made the motion to accept the low bid for the pipe replacement project once it is reviewed by the solicitor.

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

PRESIDENTS REPORT – (Walter Lutz)

Mr. Lutz reported we have a feral cat problem and stated it has been investigated. He stated at this meeting we are not ready to make any proposals adding that it must be studied more.

Mr. Lutz reported Mount Carmel Township did not approve the police protection agreement at their last meeting and so a motion is needed to rescind the boroughs approval for the merger with Mount Carmel Township.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Bielskie to rescind the merger agreement for police protection with Mount Carmel Township.

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

Mr. Lutz stated there was a bit of a dust up over the Hometown Hero Banners and stated the fact of the matter is that the Banners are wonderful. Mr. Lutz reported he often looks at them and appreciates what those people did. Mr. Lutz stated there was a comment made that Council may not be supportive of those Veterans. He commented that he is not aware of anybody in Kulpmont not supportive of the Veterans including the Council sitting around this table.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza stated the police need a new subscription plan from Informant. Chief Patrick McAndrew stated the cost is \$2400.00 per year and stated the old subscription plan was about \$1200.00.

Chief McAndrew explained the new subscription is needed it has new features for our system used to access our reporting system out on the road, rather than having to come back here to the office adding that with the new Trak-System we are going to be getting from the state go hand in hand which is going to save the police officers time with typing and duplication and is recommending the upgraded version for 5 police officers.

Mr. Slaby commented that he does not know how they would be expected to operate without it. Mayor Bozza replied to Mr. Slaby that it is something they have always had stating this would be an upgraded version.

MOTION – Mr. Fanella made the motion and Mr. Sinopoli seconded the upgrade purchase to the informant system for a 5-seat subscription plan at a cost of \$2400.00

Mayor Bozza questioned if our computers are all capable of having this upgrade.

Chief McAndrew replied yes.

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

6 YEAS – 0 NAYS

Mayor Bozza stated the Chief has also requested the purchase of a pro-type cover and case for the police department. Chief McAndrew stated it would be much easier with a keyboard and stated with the cost of the computer a case is needed to protect the computer if it would be dropped.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Slaby to spend up to \$200.00 to purchase pro-type cover and case for the police department.

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

6 YEAS – 0 NAYS

Mayor Bozza questioned if there were any grants out there for a police car adding that we need to seriously think about a new vehicle.

Mr. Lutz state he attended the grant course and stated he will get on it. He stated he will have a report by next meeting.

Mayor Bozza questioned if Council has discussed the hiring of any new officers adding that there are some good cops out there right now.

Mr. Chesney stated he thinks they will need to wait until the contract is agreed upon so that Council could tell the officers what the pay is and benefits etc..... Mr. Chesney commented he does not think anyone could be hired without knowing those things, unless it could be done, stating he does not know.

Mr. Lutz suggested they have an executive session to discuss contractual matters concerning the police. Mr. Lutz questioned the Solicitor on what his thoughts are on the hiring of an officer before the contract is finalized.

Solicitor Greco stated he certainly thinks one could be hired under the old contract with the expectation of the contract being negotiated, they would be under a probationary period anyway during that period of time. Mr. Lutz stated we will discuss this in executive session adding he understands there are a few good available officers out there now.

Mayor Bozza stated he would like to have the police car marked now that we will be keeping our force and asked Chief McAndrew to get a price to have the car marked. The Chief stated he would have a price by next week.

Mayor Bozza stated he had a request from the Kulpmont 100 for a letter approving the closure of Maple Street for the beer fest. Mayor Bozza stated he approved it and signed a letter for the Kulpmont 100 which was needed for their liquor license.

Mayor Bozza questioned if people that are not paying attention to their properties and have code violations, if we could put their names in the paper and have a Kulpmont Wall of Shame. The Solicitor stated he thinks that would be a problem and made the example to just put a name and high weeds would be a problem. Solicitor Greco stated once it is filed with the magistrate it is then public record. Mayor Bozza asked if the ones that have a bunch of citations, if we could put them in the paper just to let people know something is being done. Additional discussion took place concerning different situations such as code violations and failure to register rentals. Mr. Lutz stated there are many issues where property owners have not responded and so we will now go to the next step.

Mr. Chesney commented this is not only landlords, this is regular property owners as well and stated the Ordinances that have been adopted are going to be enforced by this Council and stated they are not being chosen. He added any Ordinance that is not being followed is going to be pursued to the maximum.

Mr. Chesney said eventually people will know that we are not going to get amnesia half was through. Mr. Chesney stated if there are fines and money involved as a homeowner or landlord you must maintain your building to the satisfaction of these Ordinances. Mr. Chesney stated we are following the laws of this Borough that are put in place and hope that everyone understands it.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda stated that approval is needed from the meeting minutes from the May 8th monthly meeting.

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Slaby to approve the meeting minutes from the May 8, 2018 regular monthly meeting.

VOICE VOTE-

Unanimous

Approval is needed on the December 12, 2017 meeting minutes, they were overlooked and not approved at the January meeting.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to approve the meeting minutes from the December 12, 2017 meeting minutes.

VOICE VOTE-

Unanimous

Rhonda Wilk stated correspondence was received from Rhoades and Sinon and also from Richard Fuedale, Esquire which were copied to both Mayor and Council.

Mr. Lutz stated the correspondence from Rhoades and Sinon concerning consolidation of law firms and the correspondence from Richard Fuedale, Esquire was an objection for one of his clients that received a citation.

Mr. Lutz stated we also received correspondence from the Fraternal Order of Police on a proposed contract.

Solicitor Greco stated concerning the correspondence from Rhodes and Sinon we need to acknowledge that the files pertaining to bond counsel be taken from the old firm to Eckert Seamans. Mayor Slaby questioned what the files were about. The Solicitor replied current bond issues. Mr. Niglio added the bond was from when this building was purchased. The Solicitor stated they should have them and if we need to track those files down we would know where they are.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Slaby to acknowledge and have the files currently held by Rhodes and Sinon be retained by Eckert Seamans

VOICE VOTE-

Unanimous

TREASURERS REPORT – (Paul A. Niglio)

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

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

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

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated a petition was filed to stop the sale of the Mill from going through later this month which will give the EPA sufficient time to assess and come up with a plan to remediate the problem which comes with a significant price tag, if nobody buys the property this could be a problem for the County. Solicitor Greco stated by holding up the sale the prior owners still own and are still obligated and liable. The Solicitor stated that process took some time to arrange and various phone calls to County officials.

POLICE CHIEFS REPORT – (Patrick McAndrew)

Police Report Attachment #2.

FIRE CHIEF REPORT – (Raymond Siko)

Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

No Report.

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

Code Report Attachment #4

Mr. Lutz stated there is a lot going on. Russ Moroz announced the Code office will be June 21st and June 22nd and closed on July 2nd through July 9th for vacation.

A short discussion of grass cutting took place. It was stated grass cutting continues to be an issue.

Mr. Chesney questioned about some of the sweeper tickets and if they have been all paid or how many still have not been paid. Russ Moroz stated he would need to get with the Chief stating he has no way of finding out who owns the vehicles so that they could be sent to the magistrate. Mr. Lutz added we will do that.

Mr. Slaby questioned if anyone would have any objections in him speaking with Mr. Cole and possibly with his input and authorization we could have a program like we do in Shamokin with Mr. Gembic where kids that are sentenced by the magistrate will come in and they will cut grass adding it is a very successful program in the City. Mr. Slaby stated the city has an insurance policy so that if a kid would get wacked with a weed wacker or something like that.

Solicitor Greco stated if they are on probation the County kind of assumes some of that. The Solicitor stated in other municipalities his experience has been if you are persistent at fining the banks at some of these properties they have sent someone out to cut the grass and meanwhile you are establishing a municipal lien where we could recoup the cost when and if the property is sold. Mr. Slaby agreed when it is a local bank, but stated by trying to talk with somebody within one of these big banks is like trying to fight a fire without water. Continued discussion took place on this subject and there was no

objection to Mr. Slaby checking into the possibility of a possible community service program to cut grass.

SERVICE AND FACILITIES – (Robert Fanella)

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to purchase 6 pairs of jeans for Bruce Graff for a cost not to exceed \$240.00.

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

Mr. Fanella stated at the prior meeting we approved to purchase a power broom and stated we need a pole saw attachment because there are a lot of streets and allies are overcome with trees.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Bielskie to purchase the stihl pole saw at a cost not to exceed \$200.00.

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

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to purchase a flag pole and solar light for Veterans Memorial Field not to exceed \$225.00.

FINANCE/PURCHASING/GRANT COMMITTEE – (Walter Lutz)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (George Malakoski)

No Report

RECREATION/GRANTS - (Walter Lutz)

No Report

PERSONNEL- (Michael Sinopoli)

No Report

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

Mr. Chesney stated we are working on building up our own police force and steps have been taken to begin negotiations.

Mr. Chesney stated all the wheels are turning on the mill and we are making some progress. He stated all that can be done will be done to make the owner responsible.

Mr. Chesney stated all the hours that the volunteer fire fighters put in are much appreciated as a council. He stated they volunteer, and respond so quickly as in the most recent fire in the Borough. They are professional, well trained and efficient and stated they deserve a pat on the back and asked the citizens when they see a firefighter to please let them know you also appreciate them.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Daryl Troup of 745 and 747 Scott Street and stated 749 and 751 has high grass year after year and stated he spoke to Russ Moroz and he said he will not cite them because of all the recent rain. Mr. Troup said he wants to thank Robert Fanella adding he got something done. Mr. Troup stated he mowed his grass five or six times already. Mr. Bielskie responded to Mr. Troup and let him know the owner was cited numerous times. Mr. Troup stated the grass is high year after year and questioned why he can't give a fine and suggested to Mr. Moroz that he should retire.

Joe Cesari 530 Chestnut Street stated he was hoping the person who wrote on facebook would be here this evening so that he could confront him. He stated he does not understand face-book and all the modern technology adding Mr. Fanella showed it to him and he stated all of Council are implicated in this situation with the Veterans. He stated apparently Council is all against Veterans. Mr. Cesari stated the person who wrote this did not understand what Bruce and the street department had to do to get that first group of banners up. He explained that the hardware that was on the pole had to be acknowledged and adjusted accordingly.

Mr. Cesari stated this person crossed the line when he began listing names. Mr. Cesari stated his attorney stated he could be cited for defamation of character because there were names listed, as a council they implicated all of them. Mr. Cesari stated personally he would like a public apology and stated he is not going to call him a gentleman because he is not, and on the phone, he tore him apart. Mr. Cesari stated there are a bunch of lies.

Mr. Lutz stated the Council is going to look at those comments that he made and stated there are Veterans sitting on the Council and stated it is silly and what to do about it. Mr. Lutz stated Council is held to a different standard then he Mr. Cesari is as a private citizen.

Mr. Lutz stated Council did not appreciate the comments adding Council does appreciate him very much and stated the fact of the matter is that he was the motivator on the Hometown Hero Banners and stated they were one of the best things that ever happened in Kulpmont.

Mr. Lutz stated the person that wrote all that stuff, literally bad manners and clown statements. Mr. Cesari stated 99.5% of the people enjoy them adding it is just these two people. Mr. Cesari stated he was getting calls at his grandson's graduation, getting his wife upset and stated he was hoping he would be here tonight face to face. Mr. Lutz stated that person also called Mr. Fanella numerous times and Mr. Fanella asked him to please do not do that. Mr. Fanella stated he filed a report with the police.

Mayor Bozza questioned what is up with the cruise. Joe Cesari stated the cruise will be on Saturday the 14th of July with a rain date to be the 15th of July. Joe Cesari stated registration will begin at 9:00 a.m. and the cruise will begin at 2:00 p.m. and by 4:00 p.m. everything should be over. Mayor Bozza stated we will need to post the street for parking restrictions again.

OLD BUSINESS

Mr. Chesney stated we have the municipal pension fund with Thomas Anderson and Associates and our Treasurer told us there is a statewide firm that could do the same thing with a much lower, possibly no cost. Mr. Chesney stated he feels we should look into it, not act on it right now but look into it because right now we are spending \$4000.00 per year for them to manage the money.

Mr. Niglio elaborated that right now we have two pension plans, one is administered by the Pennsylvania Municipal Retirement System which covers our non-uniform employees and they do everything, we do not pay anything per say, the cost is spread out probably over 900 plans in the state of Pennsylvania. He stated the cost is probably the same but you do not see them because the income that is generated that is where the money is paid. He stated it is the same thing as the state employees' pension fund, the teachers' pension funds.

Mr. Niglio stated our police pension fund is administered by us, the borough. Mr. Niglio stated we write checks ourselves every month and stated every month we get statements from that funds which is roughly \$360,000.00 which is invested through a firm in Shamokin and stated he monitors that fund to make sure we are not losing any money, if so he would notify the Council.

Mr. Niglio stated one of the things he has always wanted to present to council was to move into the Pennsylvania Municipal Pension System simply because of the bookkeeping and administration of the plan. He stated he spoke to President Lutz and Mr. Chesney prior to this and stated we will be moving forward. Mr. Niglio stated we will need to contact PMRS and they will review what we have, ordinances and then it

will need to get incorporated into their plan and so this is not something that happens in 30 days this will probably be a three or four-month endeavor.

NEW BUSINESS

None

ANNOUNCEMENTS

Happy 4th of July

Happy Father's Day

Beer Fest June 30th

Reading program starts at the West End this Saturday at 10:00 a.m. from almost born to 8 years old, with fire trucks out for the kids to look at.

Mr. Lutz announced an executive meeting was held on Wednesday May 23, 2018 at 6:30 p.m. at the borough Hall to discuss legal, personnel and contractual matters.

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

Rhonda Wilk
Borough Secretary

Date of Approval _____