

**KULPMONT BOROUGH
REGULAR MEETING
MAY 10, 2016**

Opening Prayer by Councilman Nicholas Goretski
The Pledge of Allegiance to the Flag by body present, Kulpmont Borough Council held its regular monthly meeting Tuesday May 10, 2016 at 7:00 p.m.

Roll call was taken and the following members were present: Mayor Novakoski, Clarence H. Deitrick, Bruno R Varano, Joseph A. Winhofer, Stephen Motyka, and Nicholas P. Goretski, III.

APPOINTED POSITIONS: Solicitor William C. Cole and Treasurer Paul A. Niglio, Jr.

PRESENT: Borough Secretary Rhonda Wilk, Code Officer Russ Moroz and Borough Supervisor Bruce Graff.

OTHERS PRESENT: Jack Maciajewski, Stephanie Niglio, Joe Politza, Barry Fetterman, Jeffrey Gilotti, Joe Pancerella, Russell Moroz, Bruce Graff, Robert Nolan and Joe Meyer.

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

PRESIDENTS REPORT (Bruno R. Varano)

Mr. Varano stated that a letter was received from Aqua Pennsylvania about this ongoing project and adds that they are replacing a new water main and nine new hydrants and 290 water services.

Mr. Varano states that they are telling us that if we do not waive \$22,000.00 in street cut fees that the project is getting postponed.

Mr. Deitrick replied that they are requesting it and states that they are going to do \$300,000.00 of curb to curb street repairs so why not waive it because that is 15 blocks and adds that would take us 10 years to do.

Mr. Goretski commented that they requested it and states that he agrees with him and adds that they could have made the request in a nicer way.

MOTION- Mr. Deitrick made the motion and was seconded by Mr. Goretski that we waive the cut fees and move the project on.

Mr. Varano states that he does not see it as a request and states that he will read it and proceeds to read the letter from Aqua Pa received on May 5th.

Mr. Varano then commented that as the letter states they were under the assumption the fees would be waived and states that he does not know where the assumption came from but it was never given to them and asks council to keep that in mind before they vote.

Mr. Varano adds that the Borough would be receiving \$310,000.00 curb to curb paving, approximately \$50,000.00 in new sidewalks, and adds that is due to them cutting out for the project.

Mr. Deitrick adds that we are also going to receive new pipes as well. Mr. Winhofer commented that we are not receiving it. Mr. Goretski added that we are not receiving them, the residents are. Mr. Deitrick replied that we are the residents. Mr. Goretski replied that he knows and explains that what he was saying is that the Borough is not receiving them.

Mr. Deitrick added that some of these pipes are 100 years old. Mr. Goretski added that so is the rest of the system. Mr. Goretski commented that he is just saying that he does not like to be threatened and added that is not the way to approach a government entity is what he is saying and adds that he agrees that everything we are getting is beneficial and that he would never vote against it but does not think we should be threatened on the matter. Mr. Varano questions if we should go back to them and ask if they would put a line in from here to here.

Mr. Winhofer states that you are talking a 1.8 million dollar project and adds that nobody is going to back out of a 1.8 million dollar project for \$20,000.00. Mr. Winhofer states that they probably have five times that amount in engineering fees done. Mr. Goretski added that it is just their approach. Mr. Deitrick added that they are probably going to do that much if not more again next year. Mr. Winhofer added that they if they would back out, we could probably write the PUC and tell them they do not want to fix the residents lines and questions the code officer on their start date. The Code Officer, Russ Moroz stated that he was not given a start date.

Mr. Deitrick states that there is a motion; we need to vote on it. Mr. Goretski added that we will need a start date so that it does not conflict with anything.

Mr. Varano stated that there is a motion on the floor and unless you want to put a subsidiary motion in here we have to act on the first motion.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (no), VARANO (no), WINHOFER (no), GORETSKI (no)

1 Yea – 4 Nays

Mr. Varano states that he would like to say one more thing and states that we do not give waivers to the sewer authority, the gas company or to PP&L. Mr. Goretski adds that they are just assuming that we are giving them a waiver and that is ridiculous. Mr. Varano

added that he would like to know where they go this idea that they are under the assumption that we are going to waive.

Mr. Varano starts that he has a resolution #720 for The Lower Anthracite Transportation and states that our local match this year is \$465.00.

MOTION – Mr. Deitrick made the motion and was seconded by Mr. Goretski to approve resolution #720 to match \$465.00 of state funds.

VOICE VOTE-

Unanimous

MAYOR REPORT (Bernard P. Novakoski)

The Mayor states that he is still looking for volunteers for our Auxiliary Police and states that they will be needed for upcoming events in the borough.

Mayor Novakoski states that the Holy Angels Building Committee is putting a fence in across the back of their property and they are requesting permission from the Borough to extend that fence 75 feet onto the Borough's ground at not cost to the Borough.

MOTION- Mr. Detirick made the motion and was seconded by Mr. Goretski to allow them to extend their fence 75 feet onto the Borough's property at no cost to the Borough.

Mr. Varano questions the council on what they think about continuing that fence down along that bank. Mr. Deitrick replied that is something to look at and see what the cost would be and questions if the bank would be to steep for them to come up there or not. Mr. Winhofer added that the kids would damage that so bad right there. Mr. Deitrick added that it is something to look into.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (yes), VARANO (yes), WINHOFER (yes), GORETSKI (yes)
5 Yeas – 0 Nays

SECRETARY REPORT (Rhonda Wilk)

Rhonda Wilk states that approval is needed on the meeting minutes from the April 12th, April 19th and the May 3rd meetings.

MOTION- Mr. Deitrick made the motion and was seconded by Mr. Goretski to approve the meeting minutes from the April 12th, April 19th and the May 3rd meeting minutes.

VOICE VOTE –

Unanimous

Rhonda Wilk stated that correspondence was received from Miller Gas and Oil and that they are required by the Federal Government to have Certificate of Local Government unit signed for tax free diesel fuel purchased by the borough and for the exclusive use of the borough and adds that document will need to be signed by the Council President Bruno R. Varano.

MOTION - Mr. Deitrick made the motion to have the proper officials to sign the certificate from Millers Gas & Oil that the fuel we use will be used exclusively for the Borough and will be tax free.

Mr. Varano questioned if this is just an ordinary state contract. Mr. Deitrick replied that it is.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (yes), VARANO (yes), WINHOFER (yes), GORETSKI (yes)
5 Yeas – 0 Nays

Rhonda Wilk states that Correspondence was received from Guardian for the employee benefits renewal package and that is to renew on June 1st and states that the annual renewal premium will remain the same as the current premium.

She adds that Correspondence was received from the Odyssey of the Mind and that will be held this year in Iowa on May 25th through May 28th and states that several members of Mount Carmel Area Elementary school have earned the right to compete in the world championship of Odyssey of the Mind and are asking for a donation to help defray the cost.

MOTION- Mr. Deitrick made the motion and was seconded by Mr. Goretski to donate \$100.00 to the Odyssey of the Minds to support MCA students to compete.

Mr. Varano commented that we send people every year and usually fair out pretty good.

VOICE VOTE-

Unanimous

Mr. Goretski states that he would also like to donate \$100.00 and that he will write a check.

Rhonda states that The Kulpmont Sportsmen’s Association will be holding the Children’s Fish Derby on June 4th and is requesting a donation toward the event.

MOTION – Mr. Deitrick made the motion and was seconded by Mr. Goretski to donate \$100.00 to the Sportsmen’s Association toward the fish derby.

VOICE VOTE –

Unanimous

Mr. Goretski announced that he will also personally donate \$100.00 to the Kulpmont Sportsmen’s Association for the Fish Derby as well.

Mr. Deitrick commented that it is a great organization and that they have done a lot for the kids of this town and adds that they have for years. Mr. Varano added that it is a lot of fun also.

Rhonda Wilk states that correspondence was also received from Penn Dot on the yearly maintenance of the traffic signal and that was copied to Service and Facilities.

TREASURERS REPORT (Paul A. Niglio, Jr.)

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

MOTION- To accept the financial statement and to pay the bills by Mr. Goretski and seconded by Mr. Deitrick.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (yes), VARANO (yes), WINHOFER (yes), GORETSKI (yes)
5 Yeas – 0 Nays

SOLICITORS REPORT (William C. Cole)

The Solicitor William C. Cole states that he has a brief report on the interim financing. He states that we are moving forward and that DCED is going to meet on the 17th to approve our interim financing, which is a requirement under the Unit Debt Act and states that we are tentatively scheduling closing for May 20th on the interim financing and states that he just wanted to make that announcement and added that we are going through all of the paperwork right now and preparing all of that.

POLICE REPORT (Chief Michael Pitcavage)

Attachment #2

FIRE CHIEF’S REPORT (Kevin O’Hearn)

Attachment #3

EMERGENCY MANAGEMENT (Kevin O’Hearn)

No Report

BUILDING INSPECTOR’S REPORT (TRI County COG)

Attachment #4

CODE/HEALTH ENFORCEMENT OFFICERS REPORT (Russ Moroz)

Attachment #5

PERSONNEL COMMITTEE (Joseph A. Winhofer)

No Report

SERVICE AND FACILITIES (Walter Lutz)

Mr. Varano read the Agenda under Service and Facilities and questioned Bruce Graff on the Bastian Tire listed on the agenda.

Bruce Graff stated that it is for a set of tires needed for the 2011 police car, four tires mounted and balanced at a cost of \$400.00 and he states that he also recommend to purchase a set for the other car that the Code Officer drives because the inspection is up on that in July. Mr. Deitrick questioned if they will be the same price. Bruce Graff replied that they should be about the same and added that is a really good price for tires.

MOTION- Mr. Deitrick made the motion and was seconded by Mr. Goretski to purchase two sets of tires, one set for the 2011 police car and one set for the car being used by the code officer not to exceed \$1000.00.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (yes), VARANO (yes), WINHOFER (yes), GORETSKI (yes)
5 Yeas – 0 Nays

Mr. Varano stated that the food surplus will be held on May 12th and also on May 19th from 8:00 a.m. until 12:00 noon.

Mr. Varano questions Mr. Deitrick if he has the camera quote. Mr. Deitrick replied that he does. Mr. Varano turned over the subject to Mr. Deitrick. Mr. Deitrick stated that concerning the storm-water pipe that is damaged on 6th Street, we received a quote for someone to do the camera work and adds that he comes highly recommended.

Mr. Deitrick states that the quote is from Chip Adams Sewer and Drain Cleaning and states that there is very few people that can do the camera work on that corrugated pipe and states that you need a special camera on tracks not just on wheels and adds that

everyone received a copy and his quote is \$230.00 per hour with a minimum of 3 hours or \$1700.00 for a day price.

Mr. Deitrick states that it can be put onto a disk to given to the Engineer to do the Engineering work and states that we have \$15000.00 in grants to pay for this already through the Atlantic Sunrise grant to pay for that already so that none of this will have to come out of Borough Funds. He added that once that is done we can then apply for that Multimodal grant to do the actual physical work and see if we can get that.

MOTION- Mr. Deitrick made the motion and was seconded by Mr. Goretski to hire Chip Adams to move forward with the camera work necessary for the Engineering for the storm water pipe on 6th Street.

Mr. Motyka questioned if it would be beneficial to have the engineer on site for this so that he can measure the distances and mark up the road. Mr. Deitrick replied that he may be right. Mr. Varano states that we have to hire an engineer and questions would it be KPI, the borough engineer or what. Mr. Motyka replied KPI, the borough engineer.

ROLL CALL VOTE- DEITRICK (yes), LUTZ (absent), MALAKOSKI (absent), MOTYKA (yes), VARANO (yes), WINHOFER (yes), GORETSKI (yes)
5 Yeas – 0 Nays

MOTION- Mr. Winhofer made the motion and was seconded by Mr. Deitrick to hire KPI for the 6th Street storm-water project to synchronize with Chip Adams Sewer and Drain.

VOICE VOTE-

Unanimous

FINANCE/PURCHASING COMMITTEE (Stephen Motyka)

Mr. Motyka states that we have bill for lawn mower maintenance for \$272.25, for the beginning of the season maintenance.

Mr. Deitrick questioned Bruce Graff if this work on the lawn mower has already been performed. Mr. Graff replied that it has. Mr. Varano states that the amount is listed on the bills.

CODE/HEALTH and SAFETY (George Malakoski)

No Report

Mr. Deitrick states that he would like to ask the residents with this Zika Virus and mosquitoes to be aware of anything on their property that may hold water and make sure it is emptied out so mosquitoes can't breed.

Mr. Varano commented that he would like to remind residents to cut their grass.

ORDINANCE COMMITTEE (Nicholas P. Goretski, III)

No Report.

Mr. Varano reminded Mr. Goretski to get together with Russ Moroz on the three ordinances.

GRANTS AND RECREATION (Clarence H. Deitrick)

Mr. Deitrick stated that on the second round of the Atlantic Sunrise grant for the police department, we received word that we were not awarded that grant and added that we will reapply for that.

Mr. Deitrick states that we applied for a grant and he received a letter and read the award letter dated April 25, 2016 from Governor Tom Wolf in the amount of \$2947.00 for the 2016 Environmental Education Grant and asks Mr. Motyka if he would like to elaborate on that.

Mr. Motyka States that we applied with the Shamokin Creek Restoration Alliance and the County Conservation District and reached out to the school district and will have 50 students plant trees along Quaker Run at the Veterans Memorial Field to help restore the environment and eco-system along the creek. Mr. Motyka states that the Project is the Quaker Run Stream Quality Education/Veteran Memorial Field Enhancement.

Mr. Deitrick states that the application has been submitted for the Bullet Proof Vest Grant through the Department of Justice and we are waiting to hear from them.

Mr. Deitrick states that also we are going to partner with the Knights of Columbus on a Northumberland County Recreation Grant to purchase bleachers for up at the field and that application will be submitted.

Mr. Deitrick reminded everyone of the Borough Yard Sale to be held June 18th from 8:00 a.m. 3:00 p.m. with a rain date of June 25th.

BUILDING COMMITTEE (Stephen Motyka)

Mr. Motyka stated as the solicitor expressed we should have closing on May 20th. Mr. Varano added that will be shortly.

SENIOR EXECUTIVE COMMITTEE (J. Winhofer, B. Varano and C. Deitrick)

No Report

OLD BUSINESS

None

NEW BUSINESS

None

ANNOUNCEMENTS

Mr. Deitrick announced a Happy 30th of May. Mr. Varano added that since we are celebrating Heritage year, it is Polish Mothers Day on the 26th this month. Mr. Motyka added that June 8th is the Circus. Mr. Varano added that he would like to congratulate his grandson on his graduation from Penn State on Saturday with a GPA of 3.56 and states that he got a BS in Biology and added good for Cody, a good kid.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Joe Pancerella states that the guy who is going to camera the sewer you know what the cost is and questions do you know what the KPI fees will be.

Mr. Winhofer replied that we have an hourly fee, which does not include any drawings, they have an hourly rate. Mr. Winhofer states that he does not have the rates here in front of him and that he has last years rates and states that if he would like to know exactly he will have to get that to him.

Mr. Pancerella states to retain him while the camera work is being done would that fee be covered in the overall fee, say 10% of the project. Mr. Winhofer replied that you're looking at \$78.00 per hour and asks that he not quote him on that rate because that is last year's rate. Mr. Deitrick questions if he is saying that he is going to have to come back to council with a cost and then we will have to vote on it to approve.

Mr. Winhofer replied yes. Mr. Deitrick asked Mr. Pancerella if that answered his question. Mr. Pancerella replied yes. Mr. Pancerella states that whenever Aqua Pennsylvaina replaces their lines are they automatically required to go curb to curb. Mr. Deitrick replied yes.

Mr. Goretski added it is in an ordinance. Mr. Deitrick added that after a certain percentage of the street is torn up they have to go curb to curb. Mr. Winhofer added that is when anybody that rips up a street.

Mr. Pancerella states that in his lifetime he remembers that when they dig a hole and replaced a pipe and then it was patched up. Mr. Varano commented that is why the Sewer Authority went to slip lining, because they could not afford the paving when they had to do a street, anywhere they could slip line the did to save some a lot of money.

Mr. Deitrick added that you have to look at 11th Street after what was done there it is falling apart, after so many years you loose the street. Mr. Pancarella states that it just seems a little strange to him on not waiving \$24,000.00 to get \$350,000.00 worth of work. Mr. Pancarella states that he understands that they have to do it anyway.

Mr. Goretski states that he agrees with him, it is great to get the work done but everyone would want you to waive it. Mr. Pancarella states that he thinks that he has been here when it was estimated at \$60,000.00 to pave a street.

Joe Myer of Spruce Street states that this past Saturday he read in the paper about the code officer not showing up at the hearing for the violations and states that he knows Mr. Moroz for a long time and it is just not like him to just not show up and wonders what happened there.

The Borough Solicitor William C. Cole stated that he can address him on that and stated that was nothing that was a surprise, he added that he cannot go into tremendous detail but states that he can tell him that the Borough has been involved in some litigation regarding the situation down there and without going into specifics its tough to discuss and states that is not completed and also the properties that were being referred to just so we are clear for the record, there are two properties and adds that they are being pursued in other means and stated to Joe Myer that he is correct in that it was no fault of Mr. Moroz.

Mr. Myer replied that in respect for Russ Moroz could something be placed in the paper by council or the borough saying that he was not totally at fault. Mr. Cole replied that is understood but when we are involved in litigation it is difficult at times to go into details that may have an affect on the case.

Mr. Myer states that he is just saying that the man looks like an ass and states that he knows it is not his fault and it would clear his name in public. The Borough Solicitor, William C. Cole replied to Mr. Myer that he may have already done that.

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**RHONDA WILK
BOROUGH SECRETARY**

DATE OF APPROVAL