

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
November 13, 2018
7:00 P.M.**

Opening Prayer by Councilman Robert Slaby
The Pledge of Allegiance to the Flag by the body present,
Kulpmont Borough Council held the meeting for general purpose on
Tuesday, November 13, 2018

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

ABSENT: Robert Chesney, George Malakoski

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

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

OTHERS PRESENT: Rose Bielskie, Edwin Howerter. Robert Pochakilo, Diane Graff, Joe Politza, Mary Ann Daya, Robert Michalkovich, Ann DiDonato, Josce Martin, Rafel Volkes, Jana Pinkowski and Meg Keegan.

PRESIDENTS REPORT – (Walter Lutz)

Mr. Lutz stated we have some visitors here from the EPA and so we will go first to the Mill update and then we will continue with the Opportunity for Citizens to be heard. Mr. Lutz stated some of our guest will need to drive back to Philadelphia this evening.

Ann DiDonato from Environmental Protection Agency and stated she has several contractors with her here today. Ann DiDonato stated they are moving forward, even though it sometimes does not look like it. Ms. DiDonato stated the hurdles they have had so far are mostly from PP&L Electric and from Verizon. Ms. DiDonato stated the power poles and lines were in the middle of the property. She stated the stacks are going to come down, but the companies that they have solicited bids from are not interested in them taking the phone lines out or having a possibility of getting zapped. Ms. DiDonato continued to say PP&L has been working with them to get the poles moved if needed and some power shut off. Ms. DiDonato said the big issue is Verizon.

Verizon has been the real hurdle explaining that she was informed by the Verizon representative that the line that runs between the property is a main line that runs between the towns and it is an older line that does not have any slack in it. She stated she learned recently that the new Verizon lines have slack in them so if they would need to be moved, that could be done rather easily, but the old lines do not have any slack in them.

Ms. DiDonato stated they will be having a company come out in the next few weeks to take some asbestos samples of the brick stacks. Ms. DiDonato stated at this point in time they are just working on getting set up. They have dropped off trailers and equipment and they will be out in the field tomorrow doing some baseline monitoring, this will be to see how the air monitoring will go once they begin.

Ms. DiDonato stated they will determine the best places to set up the monitoring during the work itself, there will be a communication system, so they can monitor all the locations and collect data information. Ms. DiDonato stated they will then be back when they will have a couple days to do baseline monitoring again during normal weather conditions. She stated we will need to be careful to leave the hydrant accessible and access for emergency's and we will talk about that as we move forward.

Mr. Slaby questioned if someone from DEP is involved with the asbestos. Ms. DiDonato answered no and then added they are plugged in to what is going on. Ann DiDonato stated she knows the managers over there very well and stated she has communicated with them from the very beginning and will work right alongside of them if there is asbestos. Mr. Slaby questioned if there will be a steady stream of water on the stacks as they come down. Ann DiDonato replied they will control for dust and if there is any asbestos found then they will need to ramp that up.

Mr. Lutz thanked Ann DiDonato along and stated we really appreciated your help with this. Ann DiDonato stated she will leave some fact sheets and stated those who live right near the mill would have got those in their door last week.

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

No One Spoke

Mr. Lutz stated we will need to adopt a resolution that would permit the Borough to display banners on Chestnut Street. Mr. Lutz stated we have had the good fortune of having some banners for the holidays donated and PennDOT requires a banner permit for this.

MOTION- Mr. Bielskie made the motion to adopt the Banner resolution #740 and was seconded by Mr. Fanella.

VOICE VOTE – unanimous

Mr. Lutz stated at the last meeting he was authorized to check into other banking and stated he met with the UNB Bank and got all that information together. He stated he will need to go and spend some time with an officer from BB&T bank. Mr. Lutz stated needless to say it is not a simple thing to change banks, there is paperwork involved, signature cards and resolutions.

MAYORS REPORT- (Nicholas Bozza)

Mayor Bozza announced directional parking has been suspended in the Borough effective immediately on all Borough streets running North and South in the Borough.

Mayor Bozza stated with the forecast of snow he is asking everyone to keep the fire hydrants and corners clear. Mayor Bozza asked not throw snow into the streets, it makes it tough on the street department.

Mayor Bozza stated concerning the Snow Emergency Fines, they are steep and stated he was asked to bring this up at a council meeting by many residents that feel \$100.00 is very steep. Mayor Bozza stated this is up to the Borough Council adding he told the residents he would bring the issue up.

Mayor Bozza stated the Kulpmont 100 has many holiday events planned. Mayor Bozza stated the Kulpmont 100 is working on putting in new dugouts in the baseball field, so there are many things going on.

Mayor Bozza questioned the Code officer if there is any kind of data list between the communities that could be shared as far as sharing if a person is a bad tenant. Mr. Bielskie responded by saying that would not be permitted.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated approval is needed on the meeting minutes from the October 9, 2018 regular monthly meeting.

MOTION- Mr. Slaby made the motion and was seconded by Mr. Bielskie to approve the minutes from the October 9, 2018 regular monthly meeting.

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

The Appeals Board Ordinance 2018-04 has been advertised.

MOTION- Mr. Slaby made the motion to adopt the Appeals Board Ordinance 2018-04 and was seconded by Mr. Bielskie.

VOICE VOTE –

Unanimous

Rhonda Wilk stated Correspondence was received from the following;
Wiest, Mulo, Noon, Sewinehart & Bathgate in regard to the distribution of assets Mount Carmel District Industrial Fund, Inc. copy Mayor/Council

Correspondence was received from Northumberland County Tax Claim Bureau regarding the 2018 Judicial Sale, copy Mayor/Council/Solicitor and Treasurer

A letter was received from KMHJMA notifying of Mr. Motyka's term of office expiring on December 31, 2018, copied to both Mayor and Council.

Invitation from LIFE Geisinger concerning their open house on Tuesday November 13th from 3 to 6 p.m. copy Mayor/Council

Invitation from Serenity Gardens on a Meet our Team to be held on Thursday November 15th from 4:30 – 6:30 p.m. at the Kulpmont American Legion, copy Mayor/Council

Correspondence from Northumberland county Conservation regarding DEP partnering grant 2019, Copy Mayor/Council

Kulpmont 100 correspondence on the planned activities for November and December, copy Mayor/Council.

TREASURERS REPORT – (Paul A. Niglio)

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

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

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

Mr. Niglio stated the 2019 tentative budget, the first authorization that council will need to do for 2019. He stated the final budget would be adopted either at the December or the first in January, whatever council decides.

Mr. Niglio stated there are not a lot of changes, the major changes are in the police department of course with the staff being at four, instead of our normal two. Mr. Niglio stated and the hiring of a full-time worker in the public works and highways and raise given to the part time worker.

Mr. Niglio stated the General fund receipts of \$844,905.00 and expenditures the same.

Mr. Niglio stated the Highway fund will have funds available of \$95,500.00 and expenditures of \$95,500.00.

Mr. Niglio stated the Police Pension Fund will have funds available of \$377,500.00 and expenditures of \$20,500.00 leaving an equity balance of \$357,000.00.

Mr. Niglio stated a motion is needed to approve the tentative budget to move forward.

MOTION- Mr. Slaby made the motion and was seconded by Mr. Bielskie to approve the tentative budget for 2019 and to advertise.

Mr. Lutz stated as the treasure said, this is like the first shot at it and we have a lot of work to do and then commented it is pretty good.

Mr. Slaby stated his suggestion as chairman of finance committee to everyone on Council, including the Mayor is to thoroughly review what has been presented and if you have any questions to see the Treasurer so that you can vote based on what has been provided to you at the next upcoming meeting.

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

Mr. Niglio stated that it is not on the agenda, but the tentative budget does not call for a tax increase and stated he does not think the final budget will. He stated Rhonda will need authorization to advertise the Tax Ordinance for 2019, which will remain the same as 2018. Mr. Lutz questioned if we need to do that at this meeting. The Solicitor commented you would be only advertising it. Mr. Niglio stated you are just advertising it, and this way you would pass it in December and then would have taxing authority on January 1st.

MOTION- Mr. Sinopoli made the motion to advertise the 2019 Tax Ordinance and was seconded by Mr. Slaby.

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

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco apologized for being late and stated he did file a claim on behalf of the Borough for whatever proportion Mount Carmel District Industrial Fund Inc. regarding the distribution of assets that were being held by that industrial fund. He added he believes the deadline was today or tomorrow and stated a hearing will be set up shortly after and stated he will advise council and appear on behalf of the Borough. The Solicitor commented whatever we get would be pennies from heaven.

POLICE CHIEFS REPORT – (Nathan Foust)

Chief Foust stated he would like to thank Stan-Wood Products for the donation of the table.

The Chief stated he provided a report, Attachment #2.

Mayor Bozza commented that he was in the police department before the meeting and stated the Chief asked if it is possible that they could get some shelves, the lockers are just not big enough and some equipment is on the floor.

MOTION- Mr. Slaby made the motion and was seconded by Mr. Bielskie to spend up to \$150.00 for shelves for the police department.

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

FIRE CHIEF REPORT – (Raymond Siko)

Fire Chief Report Attachment #3

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Reports attachment #4, June and August

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

Report attachment #5

Russ stated the landlord registration for 2019 will be due on December 31st adding letters will be going out.

Russ stated the Quality of Life Ordinance now includes a part in there allowing for the Borough to fine \$100.00 for throwing snow into the street and added they will be enforcing that.

Russ Moroz gave warning concerning all of the activity that will be going on at the Mill, they will eventually put up fencing and will have 24-hour guards and stated anyone who is caught there will be prosecuted to the fullest extent of the law.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella announced the food surplus distribution will be held in the Borough on November 15th from 8:00 a.m. until 12:00 noon at the Borough Garage.

Mr. Fanella stated the Paving Project has been completed in the Borough adding they did a very nice job. He stated he would like a motion to approve payment of the contract bill.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to pay the bill for the paving project that has been completed as per contract.

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

Mr. Fanella stated project on 11th and Poplar to Wood Street pipe project has been completed.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Sinopoli to pay R.C. Young Co. as per the quote for the completion of the pipe project on 11th and Wood Street.

Mr. Lutz stated this was where that big hole opened in someone's yard.

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

Mr. Fanella stated on 13th Street and Ash alley we did a little bit of scratch, we did not do a full pave job, but we got a little bit of material out of them to try and hold the street together and there was no cost to that.

Mr. Fanella stated Aqua started their project on the new water line.

Mr. Fanella stated J and S did a little upgrade on our landscape out front, it was a \$1,500.00 job and did not cost us anything, they took our millings and gave us the stone and the labor work for nothing.

Mr. Fanella stated 6th and Fir Street just this week the pipe opened up. He added the street crew choked it off and filled it up with millings. Mr. Fanella stated as soon as we get our new funding next year we will need to address that. Mr. Fanella stated we will maintain it through the winter, but we will not fix it until spring.

Mr. Fanella stated safety is the number one concern and so if we need to we will close it until we get our liquid fuels money to start that project. Mr. Fanella stated this will cost over \$50,000.00

FINANCE/PURCHASING– (Robert Slaby)

No Report

CODE HEALTH AND SAFETY (Stephen Bielskie)

Mr. Bielskie stated the legislation for adoption of the 2018 International Property Maintenance Code has been redone and written for the 2018 code and any successor codes, so we will not need to keep redoing it. Mr. Bielskie stated that will need to be advertised.

MOTION- Mr. Slaby made the motion to advertise 2018-05 legislation for adoption of International Property Maintenance Code and was seconded by Mr. Fanella.

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

MOTION- Mr. Bielskie made the motion and was seconded by Mr. Slaby to send the code officer to a class for International Property Maintenance for the update.

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

ORDINANCE COMMITTEE - (George Malakoski)

No Report

GRANTS/RECREATION - (Walter Lutz)

Mr. Lutz stated Councilman Fanella got that Recycling Grant.

PERSONNEL- (Michael Sinopoli)

Mr. Sinopoli stated the Borough offices will be closed on Thursday for Thanksgiving and the Code office will be open on Friday, the Administrative office will be closed Thursday and Friday.

Mr. Sinopoli announced the Street Supervisor will be off November 27th, 28th, and 29th and on December 5th, 6th and 7th. Mr. Sinopoli added those days are subject to change depending on snow, just so everyone is aware of that.

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

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Robert Pochakilo and stated he lives at the corner of 11th and Ash Street. He stated on the side of his house is what he believes to be a paper street owned by the Borough and on that paper street is a gate owned by PP&L.

Mr. Pochakilo stated last month a gentleman came to his house and stated Susquehanna Coal is going to be timbering behind his property and all of the way to the Legion and down below. He stated the gentleman said they may use 11th Street as an access and any damage that they did they would repair.

Mr. Pochakilo stated a couple days later he left a letter in his mailbox along with his business card stating they did decide to use 11th street as the access and they were going to start October 31st and if he had any questions to give him a call.

Mr. Pochakilo stated they started and brought some loads of lumber out and this person stopped to talk to him and he said, "this is not working out, there is too much mud." Mr. Pochakilo stated he then asked the man what he thought was going to happen when they are bringing a thousand pounds of lumber and asked him again what he thought was going to happen.

Mr. Pochakilo stated the man then said he has got to put some stone in there and stated his reply to the man was that was not what they talked about.

Mr. Pochakilo stated the man then said to him "listen, I don't have to listen to you, you don't own it, I am just trying to be nice to you." Mr. Pochakilo stated he replied to him that he does not own it either and with that the man left.

Mr. Pochakilo stated they put some stone down, brought more logs out and stated when he came home yesterday the whole 11th Street is that 6" to 8" of that huge stone. He stated he had logs cut and split off the side of the road and they had them all bulldozed over the bank and basically covered them with dirt.

Mr. Pochakilo then asked Council if they have the right to do that to Borough Property. Mr. Lutz replied that he does not think so and stated we will be on the phone with them tomorrow morning, that's a paper street.

Mr. Slaby stated that road has been there for as long as he can remember, since he was a kid. Mayor Bozza asked Mr. Fanella if they notified the Borough before they came in to use that road. Mr. Fanella commented this is the first he is hearing of it. Russ Moroz stated the Forester, Carl Kort called him and said they were using it. Russ stated he told Carl Kort he can use it, they must maintain it. Russ Moroz stated Carl Kort if the forester doing the timbering for Susquehanna Coal and PP&L. Russ Moroz stated it is a PP&L gate with a PP&L right of way, it is a double right of way on that, PP&L also has the right of way on that.

Mr. Lutz stated we will look into it tomorrow and apologized for what happened.

OLD BUSINESS –

None

NEW BUSINESS-

None

ANNOUNCEMENTS

Mr. Sinopoli stated Kulpmont Football and Baseball Association may be having fireworks, it was cancelled last week and now they would like to do it Saturday night.

Mr. Slaby questioned with how saturated the ground is, he feels it is not a good idea to have the firetrucks up there driving around.

Mr. Sinopoli stated we could leave the firetrucks outside, there is no bonfire, just fireworks.

Mr. Slaby stated he misunderstood and thought they were having a bonfire.

Mr. Lutz stated the ground is really saturated and they have insurance, this has been off and on. Mr. Lutz stated his notion is they probably will cancel it.

Mr. Fanella referred to the previous conversation and stated possibly we should talk to the company timbering and see if they would want to cut the trees down in the stadium on the upper level and hopefully we would have access to make a parking lot for that field.

Mr. Pochakilo stated he does not think they are cutting for PP&L because another guy came to him from Davey and said they got the contract for 2019 from PP&L to cut for those lines. Mayor Bozza commented they are timbering the whole section from the pipeline right of way all the way up to the Legion. Mr. Fanella commented even if it is Susquehanna that would work also, if they would want to cut down those trees and we would have access for a parking lot, we just need to make it level.

Mr. Lutz commented that if you go up there for events, there is a parking situation up there. Mr. Lutz assured Mr. Pochakilo Council will look into his situation and we will get back to you by noon tomorrow.

ADJOURNMENT

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

**Rhonda Wilk
Borough Secretary**

Date of Approval _____