

**KULPMONT BOROUGH
REGULAR MEETING
SEPTEMBER 10, 2013**

Opening Prayer by Councilman Clarence H. Deitrick
The Pledge of Allegiance to the Flag by the body present, Kulpmont Borough Council
held its regular monthly meeting Tuesday September 10, 2013.

Roll call was taken and the following members were present: Mayor Myron F. Turlis, Nicholas Bozza, Clarence H. 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 Borough Supervisor George Malakoski.

PRESENT: Code Official Russ Moroz, Borough Secretary Rhonda Wilk and Corporal Michael Pitcavage.

OTHERS PRESENT: Jeff Gilotti, Joe Politza, Ray Siko, Rodney Leishoe, Keith Tamborelli and Bernard Novakoski.

ABSENT: None

OPPORTUNITY FOR CITIZENS TO SPEAK ON ANYTHING THAT IS ON THE AGENDA:

No one spoke

PRESIDENTS REPORT (Bruno R. Varano)

No Report

MAYORS REPORT (Myron F. Turlis)

Mayor Turlis states that Halloween is next month and states that if Council would like to discuss a date for Trick or Treat in the Borough or if Council would like to wait until the October meeting to set a date.

After a short discussion between the Mayor and Borough Council, Trick or Treat in the Borough was set for Saturday October 26th between the hours of 6:00 PM – 9:00 PM.

Mayor Turlis states that he does not have information on the Halloween Parade and states that the Lions Club will be announcing the date for the Halloween Parade.

SECRETARY REPORT (Rhonda Wilk)

Rhonda states that approval is needed on the meeting minutes from the August 13th regular monthly meeting.

MOTION- Mr. Deitrick makes the motion and was seconded by Mr. Bozza to approve the monthly meeting minutes from the August 13, 2013 regular monthly meeting.

VOICE VOTE-

Unanimous

Rhonda states that the service provider agreement between the Housing Authority of Northumberland County and the Borough of Kulpmont will need to be signed by the proper authorities.

MOTION- Mr. Deitrick makes the motion and is seconded by Mr. Scicchitano to have the proper authorities sign the service provider agreement.

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

Rhonda states the HOME Investment Partnerships Grant has to be ratified/reallocating funds and requires the signature of Council President amending the agreements.

Mr. Varano questions if that is the same contract. Rhonda replied that it is.

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

TREASURERS REPORT (Paul A. Niglio)

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

MOTION- Mr. Deitrick makes the motion and is seconded by Mr. Bozza to accept the financial statement and to pay the bills.

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 – The Solicitor request a brief executive session at the end of the meeting.

POLICE REPORT (Corporal Michael Pitcavage)

Attachment two

Mr. Varano asks if anyone has any questions on the report or for Corporal Pitcavage.

Corporal Pitcavage states that he would just like to thank Council for the opportunity to be Corporal, Officer in Charge and states that he knows that they will be able to work all together.

Mr. Varano replied that he is welcome and again welcomes Corporal Michael Pitcavage aboard as Corporal, Officer in Charge.

FIRE CHIEFS REPORT (Raymond Siko)

Attachment three

Jeff Gilotti states that the county is having a meeting Thursday; there will be three vendors available concerning the radio project.

EMERGENCY MANAGMENT (Kevin O’Hearn)

No Report

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

No Report

CODE/HEALTH ENFORCEMENT OFFICERS REPORT (Russ Moroz)

Attachment four

Mr. Moroz states he would like to remind the residents again as last month he asks parents to police their kids concerning the trash that is being disposed of throughout the borough.

Mr. Varano questions Mr. Moroz on how we did today at the magistrates. Mr. Moroz states Mr. Dubbs was cited again that the fines are in the area of \$83,000.00 all in total.

PERSONNEL COMMITTEE (Philip Scicchitano)

Mr. Scicchitano states that George Malakoski is going to be retiring at the end of the month as the full time Supervisor, he will be retained and stay on part time with the borough. Mr. Scicchitano states that he is retiring after 35 years of full time.

Mr. Scicchitano states that we are going to have two rate increases Bruce Graff a raise of \$2.00 per hour and Charlie Ross a \$1.00 hour raise for their added duties and responsibilities they will be taking on with George retiring.

MOTION- Mr. Deitrick makes the motion and is seconded by Mr. Bozza to approve raises for \$2.00 per hour for Bruce Graff as foreman and Charles Ross a \$1.00 per hour raise effective the first full pay in October.

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

MOTION- A motion was made to accept George Malakoski's retirement by Mr. Scicchitano and seconded by Mr. Deitrick.

Mr. Varano comments that Mr. Malakoski although retiring will be staying on as the Borough's part time supervisor.

VOICE VOTE-

Unanimous

MOTION- Mr. Scicchitano makes the motion and is seconded by Mr. Deitrick to present George Malakoski with a resolution for his 35 years of service with the borough.

VOICE VOTE-

Unanimous

SERVICE/FACILITIES COMMITTEE (Nicholas Bozza)

Mr. Bozza states that the Borough will be holding a food surplus distribution on September 26th in the borough garage from 8AM until 12:00 noon.

Mr. Bozza states that the past month has been crazy with the fire pits and states that he does not know what the solution is and states that the police have been going out on this and states that many of these pits are right next to the houses.

Mr. Varano comments that is illegal.

Mr. Bozza suggest to council that people will need a permit for these fire pits, at no cost to them but that they would have to be inspected by the code officer to make sure it is good.

Mr. Varano states that most of them are illegal, they are building them up as Tee Pee's and you cannot do that, they have to be covered.

Mr. Motyka states that they have to have an ember screen over them and if you can't put an ember screen over them then they are not complying.

Mr. Varano states that they are to be 20 feet from a structure and states that there are very few yards that could be 20 feet from a structure, it would have to be a single property a 30 ft. property then.

Mr. Varano states that people are going to start to be fined.

Mr. Varano states that they just have to realize it and the fires should be out at 11:00 at night not at three o'clock in the morning.

Mr. Moroz states Mr. Bozza has a good idea, not so much as the permit as to have an inspection by the code officer and they should have an extinguisher in the vicinity.

Mr. Deitrick questions if we would have to change the ordinance if we go with this.

Mr. Varano states either that or set a policy adding an addendum to the ordinance and asks Mr. Cole if we could do it that way.

The Solicitor states just amending the ordinance.

Mr. Varano states that we could start working on that.

Jeff Gillotti states that a list could be compiled and states that he has been on some calls already.

Mrs. Niglio asked if he just shut them down and did not fine them.

Mr. Gillotti states that he cannot fine them.

Mr. Varano states that the police officers could definitely fine them as can the code officer.

Mrs. Niglio asks the code officer if he fined anyone yet.

Mr. Moroz states that he did not fine anyone yet and states that he can't just walk into their yard during the day.

Mr. Varano questions that if there is a fire place the code officer cannot go in the yard.

Mr. Moroz replied you cannot just during the day driving by.

Corporal Pitcavage states that they have not fined them every time they had a call mainly because there is room for interpretation.

Corporal Pitcavage states that he will review a copy of the ordinance and watch out for violations.

Mrs. Niglio questions council on the decision of what they are going to do, to go with the permit thing or what will they do.

Mr. Moroz states that a certificate of inspection would work so that the code and the police office have record of who was inspected.

Mr. Varano states that you will still have to make periodic inspections to make sure they don't go over the height limit, screening and the fire is enclosed and extinguished at the correct time in the evening.

Mr. Scicchitano states that he had a complaint last night someone was burning garbage in it. Mr. Varano said he has neighbors who do that.

Mr. Varano states we will start working on that then and states that this year is pretty much over but if someone has a fire that is out of whack and it is seen to give the police officers or code official a call and we will try to catch them in the act and fine them. Mr. Varano comments that most of them are illegal.

FINANCE AND PURCHASING COMMITTEE (Stephen Motyka)

Mr. Motyka states that we received a letter that we can examine our electric rates; our contract is expiring and Black Diamond Energy Consultants.

Mr. Motyka states that we will be setting up a meeting with Mike from the company we currently deal with on what rates are available to us and they would like to attend the next meeting to discuss the rates.

Mr. Motyka states that an emergency purchase for two batteries for the backhoe had to be made at a cost of \$375.94 to keep the backhoe in operation.

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

No Report

ORDINANCE COMMITTEE (Stephanie Niglio)

Mrs. Niglio states that she called Penn Dot after the last meeting after talking with Mrs. Procopio and her care worker.

Mrs. Niglio states that she was told that there is some signage that they could request.

Mrs. Niglio would like to send a letter to Penn Dot to get their authorization to place a handicap warning sign in the area where Michael crosses with his wheel chair, she states that she was told it is only signage and it's not going to guarantee that people stop.

Mrs. Niglio asks George if he knows the cost of the sign.

Mr. Malakoski states that he did not have a price but roughly similar signs cost around \$40.00.

Mrs. Niglio states that if we pass this motion we could install the sign possibly on the 900 block on the North side and the 1200 block on the South side and states that she believes the sign has a picture of a wheel chair on it and it alerts that there is a handicap person in that facility that would be crossing in that area.

Mrs. Niglio states that Penn Dot has to come in and access that area and that is the first step.

Mr. Deitrick questions George on the cost of the sign as \$40.00.

Mr. Malakoski states not to quote him on that price; some of the larger signs could be \$60.00 or more.

MOTION- Mrs. Niglio makes a motion and is seconded by Mr. Deitrick to send a letter to Penn Dot on signage for handicap crossing to purchase signage not to exceed \$150.00 if approved by Penn Dot to install this signage.

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

Mrs. Niglio states that she spoke with Penn Dot on many issues and states that they explained some possible grant information for updates to the red light and states that she passed the information onto Clarence.

Mrs. Niglio states that she also addressed issues on the coal trucks running through the borough and why and states that allot of that has to do with the Co-Gen plant and states they will get back with her and states that she is trying and she just keeps going after anything she can to get some questions answered but it just takes time.

Mr. Motyka states that he also mentioned before about getting a brake retarder restriction thru the borough.

Mrs. Niglio states that she did and actually she talked with some of the people that own some of the trucks and run some of the trucks and states that she was being told that is actually worse because the more they are using the brakes the slower they are going.

Mr. Deitrick states that he does not buy that.

Mr. Varano states that they would be moving allot slower if they did it the way they are suppose to do it.

Mrs. Niglio states that they are braking up in her block, way up in the 300 and 400 block because she hears them constantly and states they are looking into it and that is one of the questions they asked.

GRANTS AND RECREATION (Clarence H. Deitrick)

MOTION- Mr. Deitrick states that he would like to make the motion and was seconded by Mr. Bozza to have the proper officials sign the resolution #700 which is the grant code of conduct for the housing authority.

VOICE VOTE-

Unanimous

BUILDING COMMITTEE (Stephen Motyka)

Mr. Motyka states that he would like to mention that we got out test bore soil samples back and will be moving forward with the design. We will not have any information until we hear back from the architect.

SENIOR EXECUTIVE COMMITTEE (Winhofer, Varano and Deitrick)

No Report

OLD BUSINESS

Mayor Turlis states that he would just like to echo what some of you have already said and congratulate George and to thank George for his thirty five years of dedicated service to the residents of this community.

Mayor Turlis states that anybody who has been around and goes into that garage and sees what is over there now, we are probably one of the best equipped public works departments in the area and it was through his effort that we are in this position right now and states that we have come along way from the time of throwing the cinders out over the back of the truck right George.

Mr. Malakoski replied yes, some cold nights.

Borough Council and all in attendance applaud George's efforts.

NEW BUSINESS

None

ANNOUNCEMENTS

None

OPPORTUNITY FOR CITIZENS TO BE HEARD

John Ferrari and his wife Heather Ferrari state that they recently moved here six months ago and state that he has some concerns on the park in the back, behind Pine Street. He states that the cops were called on some of his kids and his kids actually had nothing to do with what it was and states that he talked to the police officer twice and left messages at the Mayor office three times and states he got not responses back and that he definitely would like to know who he needs to go to figure out what is going on in the park and who is handling it.

Mayor Turlis states that he just got the messages this evening before he came into the meeting he did play them and states first of all you mentioned that someone was doing some construction and did some damage to your property.

Mr. Ferrari states that there is a gentleman that is locking and unlocking the park and states that he has a conflict of interest with this man and states that he has done some work to a neighbor's house and did some damage to his house. He states that he did not say anything about the damage he just fixed it. Mr. Ferrari states that it is just one of those things that keep progressing.

Mr. Ferrari states that on Friday the police were called to the park and states that he saw that neighbor point to his house and states that he just went out and said hey what's going on and the answer that the police officer gave was that his son was guilty because he was associated with the kids in the park.

Mr. Ferrari states that his kid did not even know who the other kids were and he states that he had another son that was at the park and he said he was not even near them.

Mayor Turlis states so your son was accused of being guilty of associating with someone in the park.

Mr. Varano asks what that persons guilty of. Mayor Turlis replies "exactly." Mr. Ferrari states that there were kids climbing on the dug out roof and throwing trash around.

Mayor Turlis asks what day this was, because we have cameras up there and we can go back and check these days.

Mr. Ferrari states that it was Friday.

Mayor Turlis asks him if he talked with the officer.

Mr. Ferrari states that he did talk with the police officer and he got a little testy with him when he asked what was going on and states that is what prompted him to call the police station the next day to say you got the wrong kid, but then that police officer called back and tried to smooth things over again.

Mayor Turlis asked who the police officer was.

Mr. Ferrari states that he did not catch his name, it was dark and he states that he was just worried about his child who is 9 getting in trouble with the police.

Mr. Scicchitano asks what time this happened Friday.

Mr. Ferrari states that it was about 7:30, 8:00 in the evening.

Mr. Ferrari states that he is a sergeant with the Pennsylvania National Guard and states that he has 15 years of service with the Marine Core Army and with the Navy as well and states that he runs a tight ship and states that if there is anything that he can do back there to keep an eye on and to help he is willing to help.

Mayor Turlis states that he is going to speak with Corporal Pitcavage after this meeting and find out what he had said and look into if it was a truthful accusation.

Mayor Turlis states that if this should happen again, that is being recorded 24/7 that is how the cameras were put in and states that his home phone number is in the book and if any problem exist call him at home or the office and they will get in touch with him right away.

Mr. Ferrari states that he would also like to direct a question to the code enforcement officer.

Mr. Ferrari asks if any walking around is being done to check for roofs flying off and states because his neighbor on the other side has a roof flying off all over the road and states that he got two flats.

Mr. Moroz states that he is aware and has been going around and citing them all over town.

Mr. Rodney Leishoe states that he is with M Energy Corporation and states that he has several of our bills and states that he can save with the company \$124.97 per month on the electric bill, \$1500.00 per year, that also included the street lights. Mr. Leishoe states that he received the copies of the electric bills a couple months ago and states that he has been busy with other businesses and states that he couldn't get down here until tonight.

Mr. Motyka states that he should leave his contact information in the office and the information and states that we would be more than willing to look it over as we are looking over and discussing what our cost may be with some other providers.

Mr. Scicchitano asks if that is good for a year.

Mr. Leishoe states that it is good for the year guaranteed not to go up, no signed contracts, no cost to get in or to get out and states that they are associated with the Better Business Bureau with a A+ rating and with the Direct Selling Association.

Mr. Motyka states that we are looking into a few options and state that he should leave his information in the office so that borough council will be able to contact him on any interest.

Carol Bills states that she is one of Michael Procopio's aides and states that concerning the pedestrian cross signs are junk and asks if there is anyway of getting stop signs instead of the pedestrian cross signs.

Mr. Deitrick replied that Penn Dot will not allow it.

Mr. Varano states that you cannot restrict a state highway like that with stop signs, we looked into it.

Carol Bills states that the other towns around here such as Mount Carmel and Shamokin have Route 61 going through them and they have red lights through them.

Mrs. Niglio states that any red lights that were placed there before are there they will not remove them but anything that is asked for that would be new you cannot get unless it is a joining intersecting road with someone else. She states that if that road was not leading to the Heights and to Mt. Carmel we wouldn't have that red light either.

Carol Bills questions if there were red lights down by Turkey Hill many years ago.

Mr. Varano states that there was one down by the Mill, but that was theirs and many years ago.

Carol Bills states that there use to be one in the middle of town.

Mr. Scicchitano states that he thinks the thing now is that it is such a big expense and the borough would have to pay for it because the state would not.

Mrs. Niglio replied that no, she told her that if there is no intersection there is just no way.

Carol Bills states that then hopefully those signs will work.

Mrs. Niglio states that the pedestrian devices will only work if they are enforced and people are made aware of how they are suppose to be used.

Mrs. Niglio states that they tell her not to get discouraged that it is only the second year we have them and for use even though it seems for us it is forever it is only two seasons and that people just have to still keep getting use to them. Mrs. Niglio states that even though we think they are bothersome they feel that it is better because it still slows people down. Mrs. Niglio states that even though we much traffic going fast allot of traffic has slowed down.

Mr. Varano states that many people cross in the middle of the street when they are not suppose to.

Mr. Scicchitano states that most people do not know the law and that is the problem.

Mr. Motyka suggests asking the newspaper to do an article on the laws for pedestrian crossing.

Mr. Varano states that would be a good article for the newspaper to do.

Mrs. Niglio states that she has spoke to Andy from The News Item through emails this week and states that he did say he would be in favor of doing a story.

Mrs. Niglio states that she knows that most of the people are elderly but state that she just cannot imagine that they do not understand the signs. Mrs. Niglio states that we have lowered the speed limit last year and we just cannot lower it to 25 down at the end because of the mill because Penn Dot has a rule for that and states if the mill wasn't there and if there were houses there we could lower it to 25.

Carol Bills states that she wishes that they could put their own signs out and states that she knows that the cops are trying.

Mrs. Niglio agrees and states that she is out like in the middle of the road and states that the first day of school she states that she was out there yelling to slow down. Mrs. Niglio states that people are just into what they are doing they are thinking or their singing or they are texting, talking on their phone or talking with the people in their car and they are just not paying attention. Mrs. Niglio states that we are trying and we are going to stay with it and stay diligent and hope that sooner or later they get the idea, we are just going to keep trying.

Mr. Keith Tamberelli of Spruce Street in Kulpmont and states that he was just at the park watching the kids play football and states that he knows that people go up and review the cameras on a regular basis and state that he was told tonight that Mr. Cesari and the people reviewing the cameras are not allowed to go into the building and that it is not the boroughs property.

Mr. Winhofer states that we are going to talk about that in executive session, it will be discussed tonight.

Mr. Tamborelli states that they are doing a good thing trying to review the video and states that he has a video from the other end of town of a street being blocked one night by three kids. Mr. Tamborelli states that another thing he has is that he has talked to Mr. Winhofer and states one of the town residents who is a state trooper.... Mr. Winhofer interjects and states that he talked to him on Wednesday and that will be discussed and states that he has something to pass on about that.

Mr. Varano states that if nobody else wishes to speak council will now go into executive session.

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

MOTION- Mr. Deitrick states that he would like to make the motion and was seconded by Mr. Bozza to purchase 2 police shirts and pants for three officers, Officer Pitcavage, Officer Pastucka and Officer McAndrew.

VOICE VOTE-

Unanimous

THE MEETING WAS ADJOURNED AT THE CALL OF THE CHAIR

RHONDA WILK
BOROUGH SECRETARY

DATE OF APPROVAL