

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
JANUARY 11, 2023
7:00 P.M.**

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
Wednesday January 11, 2023

Roll call was taken, and the following members were present: Mayor Slaby, Stephen Bielskie, Mike Bradley, Robert Chesney, Joseph Dowkus, Marlin Hodge, Stephen Motyka and Bernard Novakoski.

ABSENT: None

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Treasurer Paul Niglio, Chief Stephen Mazzeo, Borough Supervisor Bruce D. Graff, Borough Secretary Rhonda Wilk and Code Official Heather Owens.

OTHERS PRESENT: Edwin Howerter and Joseph Cesari.

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

Raymond Siko stated he received smoke detectors for the whole building and stated he will get them up this week. Raymond Siko stated the fire department will be purchasing an AED for city hall on behalf of the fire department. He stated batteries are in demand and is looking on several months out to receive batteries for the AED.

Council thanked Raymond Siko.

PRESIDENTS REPORT – (Stephen Bielskie)

No Report

MAYORS REPORT- (Robert Slaby)

No Report

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated a motion is needed to approve the meeting minutes from the December 14, 2022, monthly meeting.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Chesney to approve the meeting minutes from December 14, 2022, meeting.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

Rhonda stated meeting dates have been advertised for 2023.

Correspondence was received from the following:

A letter was received from Mr. Bob Fanella requesting to be re-appointed to serve another term on the KMHJMA board.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Chesney to reappoint Mr. Bob Fanella to the KMHJMA board.

ROLL CALL VOTE- NOVAKOSKI (no), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
6 YEAS – 1 NAYS

Rhonda Wilk stated correspondence was received from Town Web Design – Information on web design and hosting, Copied to Mayor and Council.

Northumberland County Dept. of Economic Development & Planning, Copied Mayor and Council.

A newsletter was received from Pennsylvania Borough Councils Association and was copied to Mayor and Council.

Pennsylvania State Association of Boroughs Annual Awards 2023 – Copied to Mayor and Council.

Northumberland Tax Claims Bureau letter received and Copied to Mayor and Council.

Rhonda Wilk stated there was a late correspondence letter received from Mr. Walter Lutz and it was copied to Mayor and members of Council.

TREASURERS REPORT (Paul Niglio)

Treasurer Paul Niglio stated Council received a copy of the financial statement and bills to be paid and approval is needed to pay the bills.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Bradley to approve and pay the bills.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

Mr. Niglio stated we will need to adopt ordinance 2023-01, the tax levy ordinance fixing the rate for 2023.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Bradley to adopt ordinance 2023-01.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

Mr. Niglio addressed council president and stated we may need to amend the ordinance increasing the local service tax. He stated in following up on the information there may be an exemption amount of \$12,000.00 or less.

Mr. Niglio stated he is asking for authorization to advertise, if the information we receive requires us to amend that ordinance we may go ahead and advertise.

MOTION- Mr. Hodge made the motion and was seconded by Mr. Dowkus to advertise any amendment if needed to the local service tax ordinance.

Mr. Chesney questioned Mr. Niglio on the reason. Mr. Niglio explained there is an exemption amount of \$12,000.00 or less and if a change, amendment is needed rather than wait until next meeting we could advertise that.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

SOLICITORS REPORT- (Edward Greco)

Solicitor Greco stated he received a list of properties from the code officer to file liens against.

Mr. Bradley asked Solicitor Greco if he reviewed the excavation ordinance, he stated he did the math, and they owe us a couple thousand bucks. Solicitor Greco apologized and stated he will look at that ordinance.

Mr. Bradley stated he talked with Mr. Dowkus about the sidewalk ordinance and stated that may already be answered by what is in the book. Solicitor Greco stated he will review the ordinances and get and answer on that.

Mr. Bradley stated in the meantime, I think we are going to do a letter.

Mr. Chesney stated on the same topic, at one of his neighbors it looks like a new shut off was put in and they just slapped down some amesite on top on the sidewalk. Mr. Niglio stated that is temporary adding they can't fix that until spring.

Mr. Chesney stated that is what we are talking about, they can't do that. Mr. Bradley stated that is supposed to be temporary and it is not, they are taking terrible advantage of us, and this is the point he is trying to make. Mr. Bradley stated they are not treating Kulpmont correctly and we need to do something about it.

Mr. Bielskie stated he has been getting complaints from people having very high-water bills, \$600.00 bills and they need to pay them, he added they are claiming there is no water leak. Mr. Bielskie stated our code officer, Heather had a situation having a high bill she had to pay.

Heather stated back at the time when she had a bill of a few thousand dollars, and stated she hired the solicitor back at that time and stated she ended up having to pay it. Heather stated she went to PUC, and they said they can't make them take that bill away. Mr. Bielskie suggested that if anyone is having an issue to look at and read their meters downstairs and see what that movement is.

POLICE CHIEFS REPORT – (Stephen Mazzeo, Officer in Charge)

Report attached. Chief Mazzeo stated he has nothing additional.

FIRE CHIEF REPORT – (Kevin O'Hearn)

Report attached

Rhonda Wilk read aloud the Fire Department comments by Fire Chief Kevin O' Hearn. The department continues to monitor the situation with the county 911 center. At this time, operations seem to be improving and concerns are being addressed in a timely manner.

The department will keep council and the mayor informed should the situation change. Wagon 225 (2000 KME) is in very limited service at this time due to the need to have the power steering assembly replaced.

The parts have been ordered but unfortunately are back ordered. The parts are anticipated to be received by the end of January at which time arrangements will be made with Ashland Diesel to have the apparatus fixed.

EMERGENCY MANAGEMENT – (Kevin O' Hearn)

No Report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

Report attached.

CODE/HEALTH ENFORCEMENT OFFICER'S REPORT – (Heather Owens)

Report attached.

Mr. Bradley stated he talked to Heather concerning the property that was involved in the fire and asked if there is something more, we could do, put a lien on it or fine him. Mr. Bielskie replied he is being fined.

Heather stated it is being fined for a public nuisance. The Solicitor stated it most likely he will stop paying his taxes and it will go through the tax claim bureau. Mr. Bradley stated nobody will tear down a half double, they will only tear down both. Mr. Motyka stated when he and Mr. Dowkus went to the PA Association of Boroughs training it was said other boroughs that had to replace a sidewalk then put a lien on the house.

Mr. Bradley stated we have one owner that is more than willing to participate financially and physically, and he can't move forward because the other owner is defiant. Mr. Bradley questioned if there is any way we could expedite this to get the person to cooperate, eventually it is going to be dilapidated and we are going to get stuck with both the properties.

Solicitor Greco stated he feels we are doing everything we can do, doing the proper citations for the public nuisance. Heather Owens stated as far as the Red X program somebody will need to go in and list what needs to be fixed and say it is not worth saving. Matt Siko is waiting to attach the investigative report numbers, basically building us a case.

Mr. Motyka questioned if we have a record from the property owner that is willing to cooperate, asking without that letter why we are fining the one sides owner, but not the other. Mr. Bielskie stated he has posted both sides. Heather said they don't have a letter, but he was here physically here. Solicitor Greco agreed we should have a paper trail. Mr. Motyka stated if we have a letter that he is willing to cooperate.

Mr. Bradley stated the one owner is willing to cooperate fully. Solicitor Greco stated the one owner could sue the other, a civil action. Mr. Bradley stated this guy is making a fool out of all of us.

Mr. Bielskie stated he is not coming down here, we need someone to get him and bring him down here, he is out of town. Chief Mazzeo stated a criminal arrest with a public nuisance, so there would be an arrest warrant, something like that, you may get the state police in NY to serve it. Solicitor Greco stated, if he comes back and gets pulled over, that will get his attention. Chief Mazzeo stated he could run it by the DA and make sure they are good with it.

Mr. Motyka stated he sent the owner of the mill an email that the Borough is not happy with the progression. Mr. Bielskie stated they are not doing nothing, they started working on the roof on the building in the back and he stated he said he wants permits and to know what he is doing, and he scattered. Heather Owens stated he is supposed to be here tomorrow.

Bruce Graff questioned about the dumpster in the alley there and stated it makes it hard for him to come up and plow. Solicitor Greco questioned if they applied for the permit through the borough. Heather Owens replied, "no." Solicitor Greco stated it must be moved. After discussion Mr. Bielskie stated he has a number for the dumpster and will call to get it out of there.

SERVICE AND FACILITIES – (Wm. Mike Bradley)

Mr. Bradley stated the food distribution will be on January 19th from 8 a.m. until 11 a.m. at the Borough Garage and stated for the month of January. Mr. Bradley stated we are going to have coverage every single month for delivery from the athletic teams for anyone who does not have transportation. He asked that we have cooperation from The News Item, this is a very positive thing.

Mr. Bradley stated they raised the amount of income you could earn and so more people in Kulpmont will be eligible. He stated the goal is to expand this program.

A price quote was received from Raleigh's for Christmas led light bulb replacements and the cost is \$93.75 plus shipping.

Mr. Bradley stated a quote was received from Bradco Supply for 2 9' x 2' edge at a cost of \$306.60, two for \$613.00.

Mr. Bradley stated we received two quotes and the lowest was \$9,275.00 from SDL Construction, LLC and stated he feels we should move forward to remove the gas tank and fill in the hole. He stated we are in violation for having the tank in the ground and we need to do something.

Mr. Niglio stated we need to have a contract, there are some tangibles in this where cost may increase. Solicitor Greco stated one is if off road diesel goes up on the second page. Mr. Novakoski stated in the quote it is priced for every gallon of fuel to take out.

Mr. Novakoski stated we know there is no fuel in it and stated he will be there. Mr. Bradley stated they are qualified to do this.

MOTION - To accept the bid from SDL Construction for \$9,275.00 subject to a formal contract was made by Motyka and seconded by Dowkus.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

FINANCE AND PURCHASING- (Stephen Motyka)

Mr. Motyka stated he received a price of \$1500.00 from Brinkash and Associated to put pins in and survey the property for easement at 6th and Fir Street. Mr. Bradley asked if that had to be put out on bid. Mr. Motyka stated it is professional services.

Mr. Chesney questioned if when we had that fixed if we had to have it surveyed for our borough. Mr. Motyka replied to a survey could be a piece of paper, but we are looking for pins.

MOTION- Mr. Motyka made a motion and was seconded by Mr. Bradley to hire Brinkash Associates Co. at a cost of \$1500.00 to survey the easement at 6th and Fir Street.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
7 YEAS – 0 NAYS

CODE HEALTH AND SAFETY- (Marlin Hodge)

No report

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated the committee is working on the Service Electric Ordinance to have them remove the lines and look into the Franchise contract. He stated as a committee they need to get all of that together and to Solicitor Greco.

Mr. Bradley stated he will try to research the sidewalk ordinance and asked Mr. Dowkus if he finds anything out to let him know, because that is something they should know before the water company starts ripping and tearing.

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated he commends Steve Motyka for all his work on the grants while he was out of town. Mr. Chesney stated we are getting money to work on Wood Street. He added the latest news is with the Water Mitigation, \$548,000.00 to do a lot of the water mitigation work. Mr. Chesney stated he has hopes we can utilize these grants.

Mr. Motyka stated on the Growing Greener grant, he wants to verify that Mr. Bielskie will be the signature and Rhonda will be the second signature. Mr. Bielskie replied he has no problem with that. Mr. Motyka stated he just wanted to verify that is who our signatures will be.

Mr. Motyka stated for the Low Volume, Wood Street Grant Chuck from the Township will be picking up the check.

Mr. Chesney stated the Kulpmont Car Cruise since the early 2000's has been raising money and giving to the community. Mr. Chesney stated they help with the youth programs and after 20 years of raising money and putting the money back into the community.

Mr. Chesney stated they are also instrumental in getting the Veterans Flags that are in our town and they do not ask for much help from the borough at all. Mr. Chesney stated when the playground was done, they did a lot of work themselves and solicited the aid of Bobby Nolan to have the fence put up. Mr. Chesney stated Mr. Cesari even suggested they would even help with the bill for the mulch at the playground.

Mr. Chesney stated he would like to revisit the idea of putting a little placard on the fence and name the little playground area, inside the Terry Miriello Field Complex the Kulpmont Car Cruise Playground. Mr. Chesney asked for council to consider it.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Motyka to name the playground inside the Terry Miriello Field Complex the Kulpmont Car Cruise Playground.

ROLL CALL VOTE- NOVAKOSKI (yes), BIELSKIE (yes), BRADLEY (no), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (no)
5 YEAS – 2 NAYS

PERSONNEL- (Joseph J. Dowkus, III)

Mr. Dowkus stated he has no report but is requesting an executive session at the end of the meeting to discuss personnel and contractual matters.

FIRE/EMA/POLICE COMMITTEE – (Joseph J. Dowkus, III – Vice Chair)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Cesari stated he would like to thank the members of council that voted in favor of the Kulpmont Car Cruise, supporting their efforts for the last 20 years. Mr. Cesari stated he is a little disappointed in the council members that did not.

Mr. Cesari stated they are in the process of planning the cruise and stated it is probably going to be on Father's Day and hopefully bigger and better than ever.

OLD BUSINESS-

None

NEW BUSINESS-

None

ANNOUNCEMENTS

Mr. Bielskie stated our next regular monthly meeting will be held on February 8th.

Mr. Bielskie stated council will now meet in executive session to discuss personnel and contractual matters.

Solicitor Greco stated council met in executive session for approximately 15 minutes to discuss personnel and contractual matters.

ADJOURNMENT

The January 11, 2023, Meeting was adjourned by the call of the Chair.

**Rhonda Wilk
Borough Secretary**

Approval date – February 8 2023