

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
FEBRUARY 8, 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 February 8, 2023

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

ABSENT: Mayor Slaby arrived at 7:10 p.m.

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

OTHERS PRESENT: Michael Mcaffery

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

No one spoke

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 January 11, 2023, and January 25, 2023, monthly meeting.

MOTION- Mr. Novakoski made the motion and was seconded by Mr. Dowkus to approve the meeting minutes from January 11th and January 25, 2023, meeting.

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

Correspondence was received from the following:

St. Pauline letter submitted by Robert Greco requesting use of the Veterans Memorial Field Complex for August 30, 2023 – Copy Mayor /Council

Mr. Dowkus stated he would make a motion to allow the circus stating there was an issue last year or the year before with clean up.

MOTION- Mr. Dowkus makes a motion and was seconded by Mr. Novakoski to allow use of the Veterans Memorial Complex for the circus and that they clean up after themselves.

Mr. Bradley stated we approve this, but theoretically this is not our property and asked if that is correct. Mr. Dowkus and Mr. Motyka both replied, “yes, it is.” Solicitor Greco stated it is our property adding we lease it.

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

Mary Carol Testi Reilly donated to the borough of her father, Louis Testi Kulpmont High School Yearbooks from 1950-1953, Copy Mayor/Council

A Resignation letter was received from Councilman William M. Bradley with last day being March 31st. Copy Mayor/Council

Mr. Bradley asked if all Council has a copy of the letter. Councilmembers acknowledged they all have a copy. Mr. Bradley stated the last day of March will be his last day which will give time to advertise and replace him.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to accept the resignation letter of Mr. Bradley.

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

Kulpmont Cruise Association announced plans for the Cruise to be held on Sunday June 18, 2023, with a rain date of Sunday June 25, 2023, from 2 to 4 p.m. and request permission and for special event permit to be submitted. Copy Mayor/Council

Mr. Bradley stated we all watch the cruise, and asked Solicitor Greco if something would happen how liable are we. Solicitor Greco replied to typically personal injury lawyers throw out a wide net and name anybody liable that they can. Mr. Bradley stated he

thinks society has certainly changed. Mr. Bradley stated many of these young kids are pretty much on the edge and stated they wouldn't think anything of driving erratically.

Mr. Bradley stated we saw it last year; rules are put in place you can't do burn outs but look at the streets the next day. Mr. Bradley stated you could lose control of a car when you are smoking tires and stated his question is Kulpmont being put in a dangerous situation when these things are happening.

Solicitor Greco replied certainly there could be some liability, if a car would go out of control but there are a lot of ifs. Solicitor Greco stated he thinks we do require to have a certificate of liability as well. Rhonda Wilk replied with the application submitted to PennDOT the boroughs liability certificate is submitted. Solicitor Greco questioned if it is when we submit the application, we submit our liability. Rhonda Wilk replied, "yes," and PennDOT is listed as a holder.

Solicitor Greco stated it is not uncommon to say they should provide liability insurance. Mr. Dowkus stated he would table the issue for further information. Mr. Bradley stated this is hot rod and stated its escalating every year and thinks this is something we should look at, so we are not behind the eight ball.

Solicitor Greco stated we certainly could request that they provide it prior to the approval. Mr. Chesney stated whatever the liability costs they could add the fee to the registration. Mr. Chesney stated if you see anyone squealing their tires, take down the license plate. He stated he knows Joe has said before those people would not be welcomed back the following year.

Mr. Bradley questioned if there are any automobiles in the cruise that are not licensed. Mr. Chesney replied, "no." Mr. Novakoski stated they may not need inspections, because some cars that are antiques do not need it.

Rhonda Wilk stated she just wants to mention it does take just about three months to receive approval on the special event permit. Solicitor Greco questioned if we don't send it in now, we could jeopardize getting approval for June. Mr. Bradley stated he thinks it is more important that we are covered, and Kulpmont is not behind the eight ball on this.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Bradley to table the Car Cruise application and to send a letter with concern for liability insurance.

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

Mr. Niglio stated he just wants to make a comment, he witnessed a situation last year during the car cruise on the 600 block. He stated he will not name the driver, but the driver of the antique car's brakes went out. Mr. Niglio stated he had enough space between him and the car in front of him and he did encroach the pavement and luckily

there was nobody on the pavement, but it could have been disastrous. Mr. Niglio stated if it would have happened later in the cruise, he would have had to hit the car in front of him because he would not have been able to come up on the sidewalk because of the people watching the cruise.

A letter from FEMA was received approving hazard mitigation plan. Copy Mayor/Council

A letter was received from Tara Purcell, Transportation Coordinator of the MCA School District Transportation concerning issues with vehicles speeding and not stopping for a school bus when picking up a child going out of Kulpmont. Copy Mayor/Council

Mr. Motyka asked the Mayor to ask the Chief to police to start earlier in the day to police that, it sounds like there is an issue down near the storage sheds.

Mount Carmel Junior Baseball League submitted a Certificate of General Liability effective 3/1/2023 – 3/1/2024 to the borough. Copy Mayor/Council

Ehrlich Pest Control sent the borough a Service Agreement Renewal for Vegetation Management at a cost of \$2084.50. Copy Mayor/Council

MOTION- Mr. Motyka made the motion and was seconded by Mr. Dowkus to renew the Vegetation Management contract at a cost of \$2084.50.

Mr. Chesney briefly discussed the price increase. Mr. Bradley questioned where they do the spraying. Mr. Motyka replied they treat the hill and bank up at the stadium, they also do walkways and the walking track.

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

Correspondence was received from Northumberland County Council for the Arts and Humanities for membership. Copy Mayor/Council

MOTION- Mr. Motyka made the motion and was seconded by Mr. Chesney to donate \$50.00 to the Northumberland County Council for the Arts and Humanities for membership.

Mr. Bradley questioned Mr. Motyka on what the Northumberland County Council for the Arts and Humanities do. Mr. Motyka replied they do all the murals that you see in Shamokin.

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

TREASURERS REPORT (Paul Niglio)

Mr. Niglio stated council received the financial information and the bills to be paid and approval is needed to pay the bills.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Chesney 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 the first installment was received from the Northumberland County Conservation District for that grant for \$50,000.00. The first payment they gave us \$15,000.00, they are in for \$30,000.00 and we are in for \$10,000.00 from us and \$10,000.000 from Mt. Carmel Township.

Mr. Niglio stated he does not know who is handling the administration of that. Mr. Motyka stated there is no stipulation and stated if a separate account is needed. Mr. Niglio stated he is just saying we need to do something with that. Mr. Niglio stated it is already deposited and he is just letting him know we got the start up money and so if we have any engineering fees, we can pay those and stated they can't wait like the other ones.

Mr. Motyka stated the engineer told him that Wood Street would be bid in April, approval in May and the target date is in Spring. Mr. Motyka stated that is moving forward.

SOLICITORS REPORT (Edward Greco)

Solicitor Greco stated he has nothing other than to remind council about Service Electric agreement.

Mr. Bradley asked the solicitor if he had time to look at that excavation ordinance. Solicitor Greco stated he did and stated he thinks he tried to call him or email him. Solicitor Greco stated he recalls it was bare bones, minimal amount for the permit. Mr. Bradley stated it contradicts itself and makes no sense.

MOTION- Mr. Bradley made a motion and was seconded by Mr. Motyka to re-write the excavation ordinance.

Mr. Chesney stated he spoke with Mr. Motyka about all the work coming up to be done in Kulpmont. Mr. Motyka stated there are 15 block this year planned to be done this year in Kulpmont and so it is probably urgent we get this done. Mr. Bradley stated another

one we need to look at is the sidewalk ordinance, it would be protecting the people of Kulpmont. Mr. Chesney agreed and stated he does not think it will deter anyone from doing the work and stated when they apply for a permit, they would get a copy of our ordinance on how it is to be done.

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

Mr. Motyka stated he has a question concerning the easement and stated the survey will be done next week and questioned what then could be done to keep them on it. Mr. Motyka asked if we could put ballyards in to keep them from driving over. Solicitor Greco stated certainly, we are pinning the corners and when it is done, there is a right to protect it, but we also need to think about safety and what is best. Mr. Motyka stated we will check with the engineer.

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

Report attached.

FIRE CHIEF REPORT – (Kevin O’Hearn)

Report attached

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

No Report

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

Report attached.

Mr. Bradley stated there is activity at the Scott Street home where the pigeons were living in the attic and stated he was under the impression Heather knew about it. Mr. Bradley stated he was there about 4 days. Mr. Bielskie stated if he sees them there to call him.

SERVICE AND FACILITIES – (Wm. Mike Bradley)

Mr. Bradley handed his letter of resignation to Mayor Slaby.

Mr. Bradley stated he hopes to continue the food delivery adding we will see how it works out. He then stated he does have some of the release forms, they are high school kids and stated he got two back he will have them back before the next delivery.

Mr. Bradley stated the food distribution will be held this month on February 23, 2023 from 8:00 a.m. until 11:00 a.m. at the Borough Garage on Spruce Street. He stated they will still deliver to those who can't get out and hope to continue. Mr. Bradley questioned if we gained any enrollment. Bruce Graff stated he thinks there were five.

Street Sweeper Schedule for 2023 to be advertised.

MOTION- Mr. Bradley made the motion and was seconded by Mr. Dowkus to advertise the street sweeper schedule.

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

A price quote was received to purchase 30 5 gallon each highway paint at a cost of \$726.90.

Mr. Bradley stated he received a letter from Walter Lutz on Oak Street requesting to have the yellow line painted so not to block access to his garage. Mr. Bradley stated he does not have a problem with Bruce re-painting the line when he is out painting lines. Mr. Bielskie asked if that is private property.

Mr. Niglio stated the borough does not paint lines in front of garages, there are a million garages in Kulpmont. Mr. Bradley stated he was under the impression that we have painted it before. Mr. Bradley then stated, "you guys can do what you want." Mr. Bradley continued to say you can't block a garage and stated he thinks this guy is just trying to make it so people can't block access to his garage.

Mr. Bradley stated it does not matter who it is, and stated he thinks we should help the guy out. Mr. Niglio stated he has a 30' driveway and stated he does not get a yellow line. Mr. Bielskie responded saying they paint them themselves.

MOTION- Mr. Dowkus made the motion and was seconded by Mr. Motyka to purchase paint at a price quoted of \$726.90.

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

Solicitor Greco asked Paul Niglio if we need to send notification to the County Election Bureau, because didn't we need to certify the terms up. Mr. Niglio replied, because of the timeline no. Mr. Niglio stated it is not going to happen until March's meeting and so

your timeline is going to be in April early May, so it is not going to happen this year, it is going to be a two-year appointment.

FINANCE AND PURCHASING- (Stephen Motyka)

Mr. Motyka stated he would like letters to be sent congratulating elected Representative Joanne Stehr and Senator Lynda Schlegel Culver. Mr. Motyka stated he has the letter and asked everyone to sign it today before they leave the meeting so we could get that out.

Mr. Motyka stated if we are getting 15 blocks of water mains this year and stated we should really start pricing on milling the streets before they do that. Mr. Motyka stated if we have a set plan with Aqua PA, we could consider using liquid fuels money to mill the streets. Mr. Bradley questioned why they are not required to mill the streets.

Mr. Motyka stated they do not mill the whole street. Mr. Bradley stated if we change the ordinance can't, we make sure we change the ordinance so that they mill the street properly. Mr. Bielskie stated there is a big cost to milling and stated they will walk away from the job. Mr. Bradley stated he does not think they will and stated he thinks they are required by law to replace those pipes.

Mr. Bradley stated, and we could make it that they must mill the streets. Mr. Bradley stated they are making millions of dollars a year. Mr. Motyka asked Mr. Bradley how much we make them mill. Mr. Bradley stated he thinks to PennDOT requirements. Mr. Motyka replied there are no PennDOT rules for milling.

Mr. Bradley stated he thinks we should hire an inspector to watchdog these guys, they put it out and it goes to the lowest bidder. Mr. Bradley stated he thinks we should take the permit fee and hire our own inspector. Mr. Motyka stated these newly paved streets are going to last 15 or 20 years and if we lose our curbs, it's not like we are going to re-visit it. Mr. Novakoski stated also if we milled them, it would help control water erosion.

Mr. Motyka stated Chestnut Street is getting full depth replacement, down to the cobblestone.

Bruce Graff stated he knows when they put the water lines in the last couple of years they do mill to the curbs, he stated he is not saying how far down they go. Bruce Graff stated they use cameras, and they video everything before they start and that is how they put it back in, some have a 1-inch curb and some have a 4-inch curb, that's how they put it in.

Mr. Motyka stated they use drones now also. Mr. Motyka stated there is no motion to spend money for the milling, just stating we should investigate it.

Mr. Motyka stated we sent letters to the school board and the county tax assessors to find the six hundred people missing from our tax rolls. Mr. Motyka stated he was informed it is a very hard tax to police and it is mostly found through discovery or self-reporting.

He stated he is still working with the Township and the Tax Bureau to find those 600 cheats.

CODE HEALTH AND SAFETY- (Marlin Hodge)

Mr. Hodge questioned the Code officer if there is any update on the burned-out buildings on Spruce Street. Heather Owens stated she did ask the one owner for a written letter but did not get anything back on that yet. He asked what is going on with the burned-out home in Lamplight Acres. Heather Owens replied she does not know anything about that fire. Mr. Dowkus stated he believes it is being looked at as suspicious.

Mr. Bradley stated at the last meeting we talked about the Spruce Street fires and he thinks we were going to fine them. Mr. Bradley stated we have about eight grand of Scicchitano's money in escrow and stated he should not be fined; he can't move forward because of the other owner who has not participated at all, and we have no money.

Mr. Bradley stated he does not feel Mr. Scicchitano should be penalized. Mr. Motyka explained the letter Heather Owens is getting from Mr. Scicchitano will state he is willing to move on it tomorrow. Mr. Bielskie stated you must understand this guy has been doing this for years, and the problem is what are we going to do with this guy from New York. Solicitor Greco replied, cite him. Mr. Bielskie replied, "he ignores everybody."

Mr. Bradley questioned if either of the homes could be salvaged. Mr. Bielskie replied, he highly doubts that. Mr. Motyka stated once we get the letter, we talked about getting fines out on the criminal side of it. Solicitor Greco agreed stating, "yes we did, I thought Steve was going to be looking at that."

Mr. Motyka questioned about Lamplight Acres, what will be done. Mr. Dowkus stated the last he heard was it was under investigation. Solicitor Greco suggested someone speak with Ray Siko, he may have a better grasp on it. Solicitor Greco asked Heather Owens to talk with Ray Siko.

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated he has nothing. He stated we already talked about looking at some ordinances and stated we now need to sharpen some pencils and really get at this stuff.

GRANTS/RECREATION – (Robert Chesney)

Mr. Chesney stated the Cruise Association said they will help with the work that needs to be done at the playground.

Mr. Chesney stated as far as grants go there are a lot of pokers in the fire.

Mr. Chesney stated last month we adopted the resolution 768. Mr. Motyka spoke of the 2022 stormwater grants and stated we are about 75% done with plans and once we get the FEMA grant and the DCED grant paperwork is in and once they finalize, we can get the last \$325,000.00 and they can finish it.

Mr. Chesney stated hopefully we are going to get the water run off taken care of and stated Steve Motyka has done a great job in spearheading it.

Mr. Motyka stated the Shamokin Creek Alliance has two grants for \$3000.00 where they bring the students in and that's going to happen in April and May this year. Mr. Motyka stated Holy Angels is going to feed the students again.

PERSONNEL- (Joseph J. Dowkus, III)

No Report

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

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Michael McCaffery asked when this dog park is going to be complete. Mr. Motyka replied the fence is purchased and had hoped to have it in by now. Mr. Motyka would state probably by the Fall, they are working on it.

Mr. McCaffery questioned about the sign posted, Fir Street Dog Park. He stated he was in a confrontation down there this morning because he takes his dog down there walking. He continued to say he has two bum shoulders and has an electronic training collar on his dog and stated his dog is in control and does not get out of his site.

Mr. Bradley questioned if his dog is on a leash. Mr. McCaffery replied he keeps his leash with him. Mr. Bradley stated the dog must be leashed. Council said he must be always leashed. Mr. McCaffery asked if why at the Veterans Memorial Field if it is not a dog park is there five dog stations down there with bags and buckets and why is the sign up there.

Mr. Bielskie stated people may be walking with their dogs getting exercise, that is why. Mr. Bradley added it is a service we are providing.

Mr. McCaffery stated he is not going to lie; he was dead set against a dog park until he got a dog that you need to walk and does not get the exercise it needs in his yard. He stated his dog is stapled to his hip and under his control.

Mr. Chesney stated you can put the leash on the dog and control him with the electric collar, put the leash in your pocket and he is not pulling you that would satisfy the law and keeps the dog under control.

Mr. Motyka stated he put the sign up, it was sitting in his living room, and he wanted to get it out of there.

Mr. McCaffery stated there are some real good eating apples down at the Veterans Memorial Field and stated it would be nice to have one when you're down there going for a walk. Mr. Motyka spoke about the trees needing to be pruned and pricing looking into pricing to do so.

Mr. McCaffery stated he grew up around fruit trees and knows how to prune them and will do it for free. Mr. Dowkus asked him to exchange information with him after the meeting stating the Sons of the American Legion took over with maintenance down there and have volunteers if he is willing to show them how to do it.

Mr. McCaffery agreed and stated once you prune them you need to spray them, and he stated he would even buy the spray.

OLD BUSINESS-

None

NEW BUSINESS-

Mr. Bradley stated he just wants to say he is not going to vote for or against his replacement adding he feels it would be an enormous conflict of interest.

ANNOUNCEMENTS

Happy Valentine's Day

ADJOURNMENT

The February 8, 2023, Meeting was adjourned by the call of the Chair.

Rhonda Wilk
Borough Secretary

Approval date – February 8, 2023