

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
OCTOBER 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 October 11, 2023

Roll call was taken, and the following members were present: Mayor Slaby, Robert Chesney, Robert Fanella and Marlin Hodge.

ABSENT: Stephen Bielskie and Bernard Novakoski

APPOINTED OFFICIALS PRESENT: Solicitor Edward Greco, Treasurer Paul Niglio, Borough Supervisor Ed Begis, Code Official Heather Owens, Police Chief Stephen Mazzeo and Borough Secretary Rhonda Wilk

OTHERS PRESENT: Edwin Howerter, Joe Politza, Greg Berezovske Sr., Michelle Shimko, Rich Cooper, Ed Goodeluinias and Lou Ann Tamborelli.

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

Mr. Dowkus asked if any citizen would like to speak about anything that is on the agenda.

Mr. Jordi Comas is a resident of Bloomsburg and stated he works for the Department of Environmental Protection; his title is coordinator for the Office of Environmental Justice. He stated he organized the meeting for tomorrow night at the Brady Fire Company. He stated the meeting is open and wanted to let everyone know in this room and stated it is all in the flier.

He continued to say their mission is to work with communities that are in areas that are designated as environmental justice areas, there is a lot of history of industrial impacts from industry on the environment and a lot of people affected by that. He stated it is most of the whole coal region, Northumberland County.

He stated this is a democratic process to get more input on the policy as we are revising it. The whole process goes on until November 30th. At the meeting tomorrow you could come and give comments and there will also be a chance to talk about commonalities. There will be information provided and it is stated there is a tool called PennEnviro Screen which helps you to understand the issues and encourages the council and anyone who would like to attend.

Mr. Motyka stated most DEP grants going forward are going to have one question on every grant application, “are you in Environmental Justice Area,” and will give preference if you are. He stated the coal barons of this area have raped and embellished this area and left us with dirty water and ripped up ground and so the state is trying to make amends of those past wrongs stating going forward that is why he encourages all municipality leadership to attend. Mr. Motyka stated he will attend tomorrow.

Jordi Comas stated welcomed all to come tomorrow 6 to 8 p.m. He stated he will have some refreshments, local apples and soupies, coffee and water. He said Secretary Green, the head of DEP will be there, he wants to see and be seen in this area and stated it is a great chance to be heard. Treasurer Niglio asked if he is just coming to the meeting, or will he come earlier because we could show him a million places.

Jordi Comas replied saying he visits once per quarter and stated he will be in the area in April for three days and stated he would love to chat with the council about that. Mr. Motyka responded and stated the previous secretary came for a tour in Kulpmont and we showed them everything, the problems we face in Kulpmont and in return we received two very lucrative grants adding, “we put this place on the map.”

Greg Berezovske stated he wants to clear the air and stated they were not asking the council’s permission they were just letting it be known. He stated the league they are in right now is the Heartland League, which is a very competitive league, takes after the high schools. He stated every school district doesn’t have a team that is nonprofit, but they all mock what their high schools are doing.

Mr. Berezovske stated Montoursville, South Williamsport, all of them schools are all in this. He stated the board that was three years ago is no longer here stating everyone here now is new, adding he just started and this meeting coming up will be his first one. He continued to say there was some kind of deal that when Kulpmont’s uniforms were up which are blue and white, they would get red and white which would mock the Tornadoes, they would say Kulpmont Cougars on them, but they would be red and white.

Mr. Berezovske stated we are at that point right now where we need to make that decision if we will stay blue and white or go red and white. He said they talked with the parents and the players; they want to go red and white. He said they feel they are part of the Mount Carmel School District and wearing blue and white, they are not welcomed in the school district. Mr. Berezovske stated they just wanted to let Kulpmont know since they use the field that was what they were thinking about doing.

Mr. Berezovske stated Mr. Darrah had nothing to do with it, the only thing Mr. Darrah did three years ago was found this league. He continued to clarify saying Mr. Darrah got the league started with the team but that is all, he had nothing to do with changing the colors from blue and white to red and white. Mr. Berezovske said for people to blow up his phone because of whatever was on social media; he had nothing to do with it.

Mayor Slaby questioned the changes asking if the name Cougars stays and Mr. Berezovske then replied to the only change would be the colors of the uniforms, they would still have the cougar paw prints on them and Kulpmont Cougars. Mayor Slaby stated he was the president for 8 years of the KFBA and stated he is 70 years old. Mayor Slaby said when he was a kid, they were blue and white. Mayor Slaby stated he understands change comes about, the Kulpmont High School by state policy merged with Mount Carmel and said he does not know where he is from and stated he is not here to pick at him, but it is a hard pill for him as a Kulpmont resident.

Mayor Slaby said as the mayor he does not have a vote as the mayor of the town, but he said he certainly has a mouth and a brain and said he is opposed to that. He then said he went to Mount Carmel, his kids went to Mount Carmel and his granddaughter goes to Mount Carmel and stated now they are saying the little bit of blue and white we have here in this community, they want us to change to red and white.

Mr. Berezovske said he understands and has heard the story of back in the day, that is why he got concerned and said we should come here and talk to the borough about it. Mayor Slaby stated as the mayor for 15 years on and off, and stated he has been on council and then the mayor stated he does not recall anyone coming here and talking to them about this over the last five years. Mayor Slaby stated he has not missed any meetings here until recently.

Mr. Berezovske stated it is a new board and they are just trying to let council know because they do a lot for the Kulpmont organization and let them use the field adding he can't say what happened in the past, because he was not on the board when the Hartland took over. Mayor Slaby questioned if there are still going to be football games held here in Kulpmont. Mr. Berezovske stated right now the C teams are the only ones that play here. He added he was not on the board here when Hartland took over and they took it to the Silver Bowl. Mayor Slaby stated just for the record he is opposed to it.

Mr. Chesney stated he read in the letter also and you are saying "colors do not matter," Mr. Chesney stated in the Middle Ages it mattered and all the way up, all the wars the world has had colors mattered. Mr. Chesney stated in Kulpmont when we joined the Mt. Carmel Area it was exciting times adding he will just say that. Mr. Chesney stated the Mt. Carmel Area assumed a lot of the things and Kulpmont just had to go along with it but Blue and White is Kulpmont, there is no doubt about it.

Mr. Chesney stated if our team is going to be called the Kulpmont Cougars, he said he would be against that unless there was going to be a super strong flavor of blue on the uniforms with a red stripe on the helmet, but giving up the blue and white in this town that has been here and players that have gotten national notoriety wearing those colors. Mr. Chesney stated he does not see the need to put a couple thousand dollars burden on your organization to change to Red.

Mr. Chesney stated and if we are going to stay in this conference and the board feels it is best to stay in this conference because of the competition we could get and as the article

said color doesn't matter, we have uniforms, we have everything and as you said, "color does not matter," Mr. Chesney said we stay Blue and White.

Mr. Berezovske said again, to the older folks it does not matter but we are losing kids to the junior red because they are red and white, and they are going to play for school. Mr. Chesney said is there a reason because it is not just because of the color. Mr. Berezovske said it is because of the colors blue and white, they are not part of Mt. Carmel.

Mr. Berezovske stated they have had problems with teachers bullying our kids because they were wearing blue and white in the Mt. Carmel School District. Mr. Chesney stated if he were the superintendent, he would have a pretty good talk with those guys.

Mr. Berezovske stated it was already addressed and it was going to stop this year.

Mr. Chesney stated he played for the Kulpmont midjets. Mr. Berezovske stated he played for the Jets, adding his son had played since he was five years old with the Kulpmont Cougars because this is where he wanted to play. Mr. Chesney said that is not going to eliminate you from the Heartland Conference. Mr. Berezovske replied he was asked by the Heartland Conference if it was okay, and he is just doing what he was asked.

Mr. Berezovske stated once he saw everything on Facebook, there is no reason to change, but once he saw everyone on Facebook talking crap... we need \$7,500 for helmets next year and stated if you say you bleed blue and white you need to come and help us and support us because to raise \$7,500.00 for 28 new helmets, 18 kids on the A-team 14 kids on the B- team and 14 kids on the C-team. He then said we need a lot of help.

Mr. Berezovske said he understands blue and white, but if it is a true tradition and you love your team so much, you go to games and watch the games and stated nobody does that for these kids, but we are going to argue about color.

Mr. Berezovske stated the whole thing started on the internet. He stated it was just to let everyone know as a courtesy that he wanted to bring it up so that it wasn't a question when coming up the field and seeing everyone in red and white and then saying holy crap, what just happened, why are Tornadoes up here practicing. Mayor Slaby directed a statement to Mr. Berezovske that he could assure him he will do everything he possibly can to help raise the money.

Mr. Berezovske stated they decided they are going to stay blue and white but would like the community that bleed blue and white to support them. He said we have helmets from 2007 that need to be replaced, adding they just had a concussion last week. He stated everything helps, buying a ticket off them, a \$5.00 donation everything helps.

Mr. Berezovske stated he would like to thank Kulpmont for letting them set the bonfire over the last couple of years, he stated Kulpmont Fire Department was not there this year, but Beaverdale was there, we had somebody out there. Mayor Slaby asked the question, they had a bonfire and Kulpmont Fire Department was not there. Mr. Berezovske replied

saying “yes we did.” Mr. Chesney stated he would like to get with him another time to talk to him.

Michelle Shimko spoke and stated her husband was part of the board when the decision was made to joint the Heartland Conference and there was never an agreement the colors were going to change to red and white. She stated her husband and some of them have talked to the league, and they don’t want them to change, and they are not being forced to change. Michelle Shimko stated their thought was that eventually they may change to red and white and so what was put in the letter is incorrect.

Michelle Shimko stated she thinks apologies are deserved to Mr. Darrah and the other people that were running their mouths on Facebook because this is our hometown and many still live here adding and former players, they were mad and some on Facebook commented. She stated parents were mad, many parents just paid \$60.00 for jerseys and were now being told they are going to red and white.

Michelle Shimko stated the comment about having some helmets from 2007; she finds that hard to believe because they were being replenished every couple years adding she knows because she was on the board and said Heather knows, she was on the board. She said she worked many hours in the concession stand and gave up time watching her kids cheer and play. Ms. Shimko stated so for you to say you need help, it is good for the community to help but you also need to put that back on the parents, they need to be responsible for the fundraisers.

Ms. Shimko stated if they don’t sell them, there was always a fee, you must watch what you spend them on you can’t expect parents in the community in this day and age to go from buying a blue and white uniform to a red and white uniform.

Michelle Shimko stated she just wants to clarify there was never an agreement to change the colors of the uniforms in three years. Mr. Berezovske replied stating she is wrong and said he talked to the commissioner of the league and there was an agreement. Ms. Shimko stated her husband talked to the commissioner also. Mr. Berezovske replied to her, “Your husband was barely there.” Ms. Shimko stated her husband was only out of office four months since he has been out of office..... Mr. Dowkus interjected and thanked them both for their comments and clarification.

Mr. Chesney directed a statement to Mr. Berezovske and then stated helmets are a very critical part of football and said if your saying the helmets are antiquated then that is not a very good thing to say in public, because helmets should be certified after every season, that is not a very good premise to put out there that kids are playing in uncertified helmets. Mr. Chesney stated he will talk to him later about maybe being able to get him some help for that from private parties.

Mr. Dowkus stated he is sitting in for the president and there is not report under the president's report.

PRESIDENTS REPORT – (Stephen Bielskie)

No Report

MAYORS REPORT- (Robert M. Slaby)

No Report

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated a motion is needed to approve the meeting minutes from September 13, 2023, meeting minutes.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Motyka to approve the meeting minutes from September 13, 2023, meeting.

VOICE VOTE –

Unanimous

Rhonda Wilk stated correspondence was received from the Kulpmont Lions Club requesting support and a donation for the Halloween Parade event for the children this year.

Mr. Motyka asked if we knew what we did last year. Rhonda Wilk replied stating last year's donation was for \$100.00.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Chesney for the borough to donate to the Lions Club in the amount of \$100.00 for the Halloween Parade.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Correspondence was received from the Kulpmont Lions Club concerning the Halloween Parade with information of the time being at 7:00 on October 26th and includes information on the parade route.

Mr. Motyka asked if the street department could post no parking on the parade route. Mr. Fanella acknowledged his request.

Correspondence was received from Kulpmont Marion Heights Joint Municipal Authority 2024 MMO for the Pension Plan, Copy Mayor/Council

The Fine Art Gallery, 2 E. Arch Street sent a letter with upcoming events and was copied to Mayor and Council

A letter was received from Sandra Tosca concerning the condition of a property on Oak Street, copied to Mayor and Council

Kulpmont Football Baseball Association letter on Heartland League concerning colors, copied Mayor and Council

Mr. Dowkus stated as Mr. Berezovske stated as Coach Darrah explained he had nothing to do with the color change decision or any influence on this.

Mr. Chesney stated concerning the letter from Sandra Tosca, she does need help down there, and stated that there are people probably in there illegally. Mr. Chesney stated the whole town must be aware of the cleanliness of their properties. Mayor Slaby stated he has been there on more than one occasion; he has gone down there himself and stated he sent the Chief down on more than one occasion. Mayor Slaby stated if he is not mistaken, the power has been shut off.

Mr. Chesney questioned the solicitor if it is possible to put the plywood on the windows on door as we did with the incident on Chestnut Street. Solicitor Greco replied stating if he is referring to the barricade situation, we did that just to insure nobody gets in there. Solicitor Greco stated he does not think we should just be doing that and stated we have other options if it is a public nuisance, Solicitor Greco stated the if the Chief hasn't done so, he can look at citations and file a criminal complaint.

Code Officer, Heather Owens stated the owner is in jail. She said when he went to jail, he left the roommate in charge of the house, and the child of the gentlemen that is incarcerated came back and kicked the roommate in charge of the property out and took over with his friends. Heather Owens stated there is no accountability.

Solicitor Greco citations still could be issued to the person occupying, using the property. Solicitor Greco stated if it is a tenant, he should register. Heather Owens stated she has talked to him more recently and when he caught her posting the property he came out and was belligerent and stood in front of her car. She said he had called the code office and was belligerent.

Mr. Chesney stated he thinks it should be boarded up and that something should be done. Solicitor Greco stated he disagrees and stated it would create a liability for the Borough. He said if there is a fire and someone is in there and it's boarded up and they can't get out, it would be a liability. Mr. Chesney asked if the Chief could walk through before they board it up.

Solicitor Greco stated he could get an administrative warrant and said or if police chief got a search warrant and would then have the right to enter. Mr. Chesney said something needs to be done and said we have got to get firm with them.

TREASURERS REPORT (Paul Niglio)

Mr. Niglio stated the financial information and bills to be paid are attached and approval is needed.

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

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Mr. Niglio stated concerning the MMO for the Police Pension has been prepared, there is no obligation for the police pension and the non-uniform pension is \$6,653.00 and that will be reimbursed by the state next year in October and needs no action.

SOLICITORS REPORT (Edward Greco)

Solicitor Greco stated a letter was sent to Service Electric for updated Franchise Agreement we had sent a letter that we were not going to renew it almost 1 ½ years ago. They sent us a revised franchise ordinance. Solicitor Greco stated he and Mr. Dowkus months ago had a conference call concerning wires that were hanging for a service no longer used and since most have been removed. He continued to say that was a big stumbling block for this agreement.

Solicitor Greco stated we adopted the overhead wire ordinance and so we did not need to put that in the franchise agreement. Solicitor Greco stated this franchise agreement would pay a franchise fee to the borough of 5% of the gross revenue, this would ultimately be added to everyone's bill, and they agree to pay the publication cost if council agrees, we need to advertise it.

Mr. Motyka questioned if they will pay the back cost to the last day of the agreement. Paul Niglio stated we have no idea what the amount is, they just pay us. Mr. Niglio stated they pay us once per year, maybe in the spring. Mr. Motyka stated we could ask them to pay us back from the last day of the agreement. Solicitor Greco stated we will verify that and in the meantime, we could advertise that. He said we will pay to advertise and then will be reimbursed; we will still need to advertise because it is an ordinance.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to advertise the Service Electric Franchise Ordinance.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Mr. Motyka stated on the same subject he questioned if we had heard any answers back from A&T and Verizon, which are the biggest culprits? Solicitor Greco stated we have not and stated he will follow up with those.

Solicitor Greco stated we did get a follow up for PPL regarding the formal complaint. Mr. Motyka stated we have documentation from previous years ago; he agreed and stated that was concerning formal documents for prior to LED. Solicitor Greco stated concerning the follow up, they have been silent for several months, Solicitor Greco stated that was the follow up. Solicitor Greco stated there are other issues, but they will be addressed and stated he is requesting an executive session for personnel and other legal matters.

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

Chief Mazzeo stated report is attached and investigations are up. He stated we employed Officer Petrovich as a part timer, and it seems to be working out well.

FIRE CHIEF REPORT – (Kevin O’Hearn)

The report is attached, and Mr. Dowkus read the fire chief’s report comments and topics of an Ordinance to be drafted and submitted to the Borough, Fire Prevention Week and activities, information of the fund drive and stated they are waiting on a decision for a federal grant to replace equipment.

EMERGENCY MANAGEMENT – (Kevin O’ Hearn)

No Report

BUILDING INSPECTOR’S REPORT– (Tri County COG)

Heather Owens stated Mr. Bielskie asked her to mention that the convenience store at 1500 Chestnut Street will be getting an occupancy permit.

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

Heather Owens stated the report is attached. She stated Mr. Webber from 500 block of Spruce Street, the home that was involved in a fire called the office today and wanted to let council know he has completely gutted the property and is ready to put it back together, he wants to put a new roof on to protect the rest of the house.

Heather Owens said he is asking if the criminal charges would be dropped on him and questioned if we would be pursuing something with the neighboring property because

when he puts on the metal roof, it would need to overlap and if the other house is knocked down, he would then rather wait until at least that part is removed. She said his concern is to put the roof on to protect all the new stuff inside the building; right now, it has a blue tarp on it. She said he could talk have a third party talk with him because they are in litigation. Chief Mazzeo stated if it meets with Mr. Bielskie's approval, he must first approve it.

Heather Owens stated if he wants to fix it, they could get one big roof or if he is going to knock it down to please do so because that is the first thing, he needs to do so he could put his roof on. Mr. Dowkus stated we don't have any jurisdiction on that to enforce, it's a civil matter.

Heather Owens stated she had been issuing violation notices to Mr. Webber and questioned at what point the other party should get the same treatment. Mr. Dowkus said he should be getting the same treatment as he is. Heather Owens replied and stated Council had told her not to.

Mr. Chesney stated the other owner wanted to rip the property down 1 ½ years ago and Webber threw a monkey wrench in and said if his house is damaged, he is going to sue the person that is ripping down the house. Mr. Chesney stated the other guy wanted to settle 1 ½ years ago and now he is trying to strong arm the other guy and asked if he is understanding that right.

Mr. Motyka said he thinks he read the crystal ball several months ago and asked us to get a letter from the other property owner saying he is willing to rip it down tomorrow. Mr. Motyka stated he thinks that would take Mr. Webbers complaint against the neighbor off the table and we would not be in this situation we are now. Mr. Motyka stated he does not know if we ever got that letter. Heather Owens said "yes." Mr. Motyka stated he would be on record that he was willing to act tomorrow to knock that down.

Mr. Dowkus stated he will get the contact information and see what we could do and stated so long as Mr. Webber is doing his part to take care of that situation through the proper channels..... Heather Owens stated he feels that he is hitting a wall and either the neighbor is going to fix his property or is he not because he wants to proceed to put a new roof on.

Mr. Dowkus stated he will get him an answer. Mr. Chesney asked if the building is still condemned. Ms. Owens replied stating it is only condemned until he puts it all back together and it passes an inspection.

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated food surplus distribution will be held this month on October 19th from 8:00 a.m. until 11 a.m. at the Borough Garage.

Mr. Fanella stated there is a chance we may lose our part-time street department worker and discussed advertising for part-time help. A discussion took place and the Council agreed to advertise for a part-time worker and agreed to advertise at the current part-time employees' rate and hours. Mr. Chesney stated he really thinks we should advertise not only to hire but to have standby people in case something should happen. Mayor Slaby suggested possibly saving money for advertising and stated possibly some applications that were received when Mr. Begis was hired could be reviewed. Mr. Chesney stated there were five, one person did not show up and two were not qualified.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Chesney to advertise for a part time street department worker with the same hours and rate as the current part time street department worker.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Ed Begis stated he talked with Kreco Electric and received pricing for installing a sub panel in the garage for the freezers in the garage and relocate the electricity for the winter diesel vehicles that are left outside to be plugged in, which is necessary.

MOTION – Mr. Motyka made the motion and was seconded by Mr. Chesney for improvements to the garage sub panel installed at garage to relocate for the winter diesel vehicles and spend \$600.00 on the repairs.

Mr. Chesney said he is pleased with what Ed and Greg have done since they have been on board has been fantastic and stated here is another incident where he could do all of the electric work and stated they are able and qualified to make many improvements which are a fabulous savings having the expertise to do this. He stated they brought their tools, and we are up to date with what is needed as far as tools. He stated the other two guys had left on their own, and stated they did get a lot of work done in the town. Mr. Chesney stated he thinks these two guys are a great asset to our community and by them being able to do these repairs it probably saved us \$20,000.00.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

FINANCE AND PURCHASING – (Stephen Motyka)

Mr. Motyka stated we have some paving coming up through some improvements to be made by Aqua. He stated we have been holding onto our Liquid Fuels money, which added up is about \$215,000.00 and suggested that we consider and recommend looking at

hiring a full-time employee for street repairs come spring. He stated one street could cost us \$80,000.00 and stated we are not keeping up and so we may be able to do a year of repairs to get caught up.

Mr. Motyka stated, like Albert Einstein said, doing the same thing over and over and expecting a different result is the definition of insanity. Mr. Motyka stated if we do get a milling head attachment for the bobcat and even a hot asphalt trailer, that would put us able to do our own repairs and stated we should start considering.

Mr. Motyka stated the design for the cardboard compactor, pending the DEP final paperwork; we have a budgeted amount of \$6,050.00. Mr. Motyka stated our quote came in at \$8,900.00 from Catino Associates to design the handicap assessable and all of the mechanicals associated with it.

MOTION- Mr. Motyka made a motion to sign the agreement and contract with Catino Associates based on the final approval and was seconded by Mr. Fanella.

Mr. Chesney asked if that grant was already approved, he added he knows after talking with these people about the cardboard he is not thrilled about that at all. Mr. Motyka stated it is a 90/10 grant and we were awarded \$330,000.00.

Mr. Chesney stated he just wants to be on record that cardboard is not the avenue to go in. Mr. Chesney stated Thomas Edison also said you keep going and going, you make a million mistakes you are going to eventually get to the right one. Mr. Chesney stated he is not for it.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (no), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
4 YEAS – 1 NAYS

Mr. Motyka stated just for public knowledge all the grants the council has received over the last six or seven years come to 1.3 million and stated he did forget the two and so we are about 2.5 million in grants in the last six or seven years.

Mr. Motyka questioned Mr. Niglio if we heard anything from the county yet on the taxpayers added. Mr. Niglio replied we didn't and stated he put a call into one of the commissioners and had not heard anything yet. Mr. Motyka stated that is still pending and we should see some revenue on that.

Mr. Motyka stated after the last meeting Mt. Carmel Township went and directed in the paper that police regionalization was over, and discussions were ended and kind of pointed the finger at the Borough of Kulpmont. Mr. Motyka stated he would like to let everyone know and the council knows we sent them two letters and are waiting for a response. Mr. Motyka stated regionalization has been stalled for some time, but it is not off the table.

Mr. Motyka stated Sunbury Ford called about the new dump truck and stated the truck is included 90/10 through the recycling grant. He stated they have been holding onto it until the DEP finalizes the grant he asked if there is a way, we could get interim financing to get that truck off their lot. Mr. Motyka stated the recycling grant is a reimbursable grant and questioned Mr. Niglio if we usually handle it as a line of credit. Mr. Niglio replied saying no, once we know what we are getting then we make the expenditure, but we don't know what we are getting; DEP's budget has not been approved. Mr. Motyka stated the letter we got saying we were approved for a \$330,000.00 grant, isn't set in stone until the budget is signed. Mr. Niglio stated that is his understanding there is nothing there that says we could spend the money and get reimbursed.

Rhonda Wilk stated it has been approved; we are just waiting for them to release the funds. Rhonda Wilk stated and that is on us until they do that. Mr. Motyka stated he thinks the letter said it is a gamble on our part, it should be reimbursed. Rhonda Wilk stated that is correct, we would put in for the reimbursement. Mr. Niglio stated if you want to take that hit, we are talking \$40,000.00. Mr. Motyka stated it is \$80,000.00. Mr. Motyka stated the last letter from DEP about the reimbursement and the signing of the project agreement letters or how it works.

Rhonda Wilk stated the borough pays for the purchase and then submits the reimbursement once the grant is released. Mr. Niglio stated we have gone through five of these grants and we have bought the last four trucks through the reimbursable grant. Mr. Motyka stated Sunbury Motors called him and stated it has been on the lot for six months.

There was a brief discussion and Mr. Niglio stated we fronted the money as in the past that is not the problem because we knew we would get it back. Mr. Niglio stated we have not received the final approval that the money was released. Mr. Niglio stated you can't pre-purchase something prior to the paperwork and money being released. Rhonda Wilk stated we can purchase it, but the reimbursement could not be submitted until the release, pending the release to submit reimbursement. Mayor Slaby stated in Shamokin they waited over a year.

Mr. Motyka stated when we put the grant in last year, we ordered it and put it on the assembly line, if we have got the grant then they would have sold it to someone else and now they have been holding onto it for six months. Mr. Niglio stated he recommends we purchase the truck. Mr. Motyka stated he would make the motion to purchase the truck.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Fanella to purchase the F 550 Truck from Sunbury Motors while waiting to receive a fully executed grant agreement.

Mr. Chesney questioned Mr. Niglio stating he still does not like it. Mr. Niglio stated it is just the state is not doing business being like the federal house. Mr. Niglio stated they have a lot of problems in Harrisburg, they passed the budget but no line items and so a lot of agencies cannot make expenditures because they don't know what the deal is.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (abstain), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
4 YEAS – 0 NAYS- 1 ABSTAIN

CODE HEALTH AND SAFETY- (Marlin Hodge)

No Report

ORDINANCE COMMITTEE - (Joseph Dowkus)

Mr. Dowkus stated we advertised the street excavation ordinance and stated, it has been going on for months and months and months and we need to adopt the ordinance. Mr. Chesney had some questions on which one we are going to adopt. After some discussion it was clarified the discussion was for the street excavation ordinance and not the sidewalk ordinance. Solicitor Greco stated the copies were emailed.

Mr. Dowkus stated the Excavation Ordinance 2023-05 will need a motion to adopt, it was advertised last month.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Hodge to adopt the Excavation Ordinance 2023-05,

Mr. Chesney stated that this is not different from the one he read prior, three months ago. Mr. Dowkus stated that is the one we had sat down and talked to the guy from Ralpho and got all the missing information, that is the one we are voting for. Mr. Chesney replied, just as long as he knows what he is voting for, stating he does not just vote.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Mr. Dowkus stated the next ordinance is the sidewalk ordinance that Mr. Chesney was referring to. Mr. Chesney stated he has two of them. Mr. Dowkus stated everyone had received a copy to review and if there are no questions, we will need a motion to advertise.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Chesney to advertise the 2023-06 sidewalk ordinance.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Mr. Dowkus stated the Service Electric contract was in his report but we have taken care of that.

Mr. Dowkus stated he has been getting phone calls non-stop about Chickens, Ducks and Trash. Mr. Dowkus stated we do have an ordinance and stated he has shared it on multiple locations on Facebook so everyone could be aware and know what the ordinance is.

Mr. Dowkus stated unfortunately we have people that do not abide by the ordinances and for us to enforce the ordinance we would need a written complaint from a person to follow through with the complaints, if people do not want to come forward our hands are tied with the ducks and chickens and so forth.

Mr. Dowkus said if there is an area, house, or farm that you want to complain about to please come to the office and file a formal complaint so that we could investigate and follow through with the ordinance. Mr. Motyka questioned if a councilman that lives across town make a formal complaint about chickens, Mr. Motyka asked why somebody needs to make a complaint. Mr. Motyka stated he does not live anywhere near chickens, but he could make a complaint and questioned why the code officer cannot make a complaint. Solicitor Greco replied, "Sure."

Mr. Chesney stated in that ordinance it does say two animals per household, duck's chickens whatever unless at the digression of council. Mr. Dowkus addressed Mr. Chesney and said he is kind of talking all backwards. Mr. Chesney replied saying, "no I am not," and stated it is in the ordinance. Mr. Dowkus stated since this ordinance has been adopted and since they have all been on council together, no one here at council okayed and ducks, chickens, quail.... there has not been an okay from anybody. Mr. Dowkus asked the mayor if he is correct as Mayor has, he okayed anybody. Mayor Slaby replied, "no." Mr. Dowkus said as he said the ordinance has been posted, everyone could follow along, no is no.

Mr. Chesney stated he is just saying to him what the ordinance states is, at the digression of council there could be an exception and just wants to get everything in the public, that is all that is to it and that is what the ordinance states. Mr. Chesney stated you must read the whole ordinance and follow the whole ordinance and state he agrees we can't have another zoo. Mr. Dowkus stated nobody is going out there in this world, in this borough and saying so and so said it is okay. Mr. Chesney replied saying; no, you must have an official acceptance of it. Mr. Dowkus said okay, we are done with that. Mr. Chesney replied and said no, we are not done with that and asked Heather Owens to read that part.

Heather Owens read the following: It just says without direct approval of the Borough of Kulpmont code enforcement officer and the Kulpmont borough council. Mr. Dowkus stated he is not denying that and stated he his saying they haven't given anybody approval to do this. Mr. Chesney stated we haven't, he is just saying you must understand the whole thing.

RECREATION/GRANTS COMMITTEE – (Robert Chesney)

Mr. Dowkus stated it is very beneficial to keep up on these low volume grants and stated they have done some good work in two days on Wood Street. He stated it costs \$80,000.00 or so to pave a street in this borough, but to pave a street in this borough. Mr. Dowkus stated but to pave a street that does not have any infrastructure underneath it to uphold the weather and our ways of life here and the way the ground settled over the last 100 years this stuff does need to happen.

Mr. Dowkus said seeing what those guys did in two days and not realizing and understating how \$50,000.00 got absorbed into that job. Mr. Dowkus stated we will see in the months ahead how that little bit has helped in just getting the water off the street and into the proper channels throughout town. Mr. Motyka stated we all worked on that grant together, stating we got \$30,000.00, \$10,000.00 from Kulpmont and \$10,000.00 from the township.

Mr. Motyka stated under our direction to fix the alley, the blueprints several councilmembers got it, and 3 supervisors got it, and we still don't have a project we are happy with adding it should have been up another 1/2 block. Mr. Motyka stated he asked Mr. Bielskie to contact Livic and stated he does not know if he got a response, but we did have \$5,000.00 contingency in the budget and questioned he does not know why we couldn't use that \$5,000.00 to fix the alley for more paving to make it acceptable. He stated it was already accounted for as a contingency item in the budget.

Mr. Motyka stated he sees they are still waiting for topcoat and stated he does not know if it is still possible to fix the defects as long as it falls in the budget amount. Mr. Dowkus stated he did not get anything back from Livic or Mr. Bielskie and stated he does not have any contact with the contractor.

A discussion continued and Mr. Motyka asked Mr. Fanella to follow up with Mr. Bielskie and see if he got anywhere and stated he gave Mr. Bielskie all the information to reach out to him.

Mr. Dowkus stated going forward he recommends us to reapply for that grant to keep projects like that going in town because in the long run it will make a humongous difference, start at the mouth of the ocean, and work our way back.

Mr. Motyka stated next Friday October 20th Senator Casey is having a grant workshop in Westmoreland County to help communities that are transitioning from coal base communities like Kulpmont was, green energy-based economy's and stated he is taking off work to attend and asked to be reimbursed for his mileage.

MOTION- Mr. Fanella made the motion and was seconded by Mr. Motyka to reimburse for mileage to attend at the current IRS rate.

ROLL CALL VOTE- NOVAKOSKI (absent), BIELSKIE (absent), FANELLA, (yes), CHESNEY (yes), DOWKUS (yes), MOTYKA (yes), HODGE (yes)
5 YEAS – 0 NAYS

Mr. Motyka stated the EPA grants coming up and stated he will be working with Bucknell Students to draft one for Kulpmont. Mr. Jordi Comas was here to talk about tomorrow night's meeting and hopes everyone can attend.

Mr. Motyka stated he copied everyone on council and stated the DCED grant has been pushed to November's board meeting and stated that is \$175,000.00 pending.

Mr. Motyka stated the next round FEMA grant, he would like to make sure we apply for the next round and work with Tom Hughes on that.

Mr. Motyka stated Mt. Carmel Township will be applying for a share grant program and wants a letter of support for a vehicle and stated he recommends we give a letter of support.

MOTION- Mr. Motyka made the motion to send a letter of support to Mt. Carmel Township for their grant application for police vehicle and was seconded by Mr. Fanella.

VOICE VOTE-

Unanimous

Mr. Motyka stated he shared with the group that we have an opportunity to apply for a share grant; the casino money statewide comes through our communities, a \$25,000.00 minimum and asked to please reach out to him or Justin Skavery with ideas on what we could use that for. He stated if nothing comes along, we may just use it for recreation or something.

Mr. Motyka stated he hopes to get more concrete poured at the ramp field.

Mr. Motyka stated yesterday he talked with Seda Cog and stated there is a Penn DOT program that reimburses 100% of the cost for construction and street beautification and safety improvements. Mr. Motyka stated every other town, but Kulpmont has beautiful main street, trees and curbs. He stated the caveat is that all planning and design must be paid for by the borough or a technical assistant program with Penn DOT and stated he will work with the council on trying to get our main street sidewalks beautified.

Mr. Motyka stated Kulpmont was awarded 60 hours of expert match for national renewable energy lab; they are going to design a complete solar project for Kulpmont and the Sewer Authority and a combined project. He stated there is plenty of money coming up for solar and stated we would be able to pay for our streetlights and change all of our heating oil usage to electric heat and so we will save a lot of money on heating oil.

Mr. Chesney stated we don't have room on Chestnut Street to put pedestrian crossing signs, our main street is too narrow. Mr. Motyka, we could have a beautiful lamppost all

of the way down, we could look just like Lewisburg with a nice, beautiful lamppost all of the way down Chestnut Street. Mr. Chesney stated again, this must be researched.

Mr. Chesney stated on the south side of Chestnut Street when the snowplow comes through, they have snow almost on their porch. Mr. Chesney said look into it and added all he wants to do is present the other side of the project. He stated he is not against anything, but he wants people to see the full light and stated it sounds beautiful, but he just thinks we do not have the room to do it.

Mr. Motyka stated everyone his reply would be that every other town has done it and we have not applied for a 100% construction grant and stated he is sure everyone in this borough would like a beautiful main street. Mr. Chesney agreed and replied saying he would love one, but stated it may not fit.” Mr. Chesney stated we need to look into it first, common sense.

PERSONNEL- (Joseph J. Dowkus, III)

No Report

FIRE/EMA/POLICE COMMITTEE – (Bernard P. Novakoski)

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

No one spoke.

OLD BUSINESS-

Mr. Motyka stated in late May they met with the mill owners, and he stated he spoke with the owner and stated the owner asked him to re-send the grant information that he provided to him previously and he met with a contractor today. Mr. Motyka stated we may see senior housing or something big.

NEW BUSINESS-

None

ANNOUNCEMENTS

Mr. Dowkus Kulpmont 100 and Kulpmont Beverage went in on a successful fundraiser in the borough and asked Mr. Motyka how they did. Mr. Motyka stated 120 runners at \$25.00 each so probably about \$3,000.00 to the borough for a project. Mr. Dowkus stated it was a success for the borough to see some healthy people running around town and being active.

Kulpmont Wine fest at the Holy Angels picnic grounds on October 14th and reminded all to get their tickets adding it is a great time.

Mr. Dowkus stated at this time the council will meet now in executive session to discuss personnel and possible litigation.

Solicitor Greco stated the council met in executive session for approximately 30 minutes to discuss personnel matters and possible litigation.

ADJOURNMENT of the October 11, 2023, meeting

Rhonda Wilk
Borough Secretary

Approval date – November 8, 2023