

**KULPMONT BOROUGH
REGULAR MONTHLY MEETING
APRIL 10, 2024
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 April 10, 2024

Roll call was taken, and the following members were present: Mayor Slaby, Robert Fanella, Robert Chesney, Stephen Motyka, Marlin Hodge, Bernard P. Novakoski and Charles Staskiel.

ABSENT: Stephen Bielskie

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

OTHER PRESENT: Edwin P. Howerter, Susan and John Klokis, Jason Tandler, Joe Politza, Marshall Mirarchi, Kaden Hine, Devin O'Hearn, Jessica Mirarchi, Patrick Burns, Greg Gensemer, Heather Rosetta, Albert Rosetta, Douglas Katalinas, Eric Schlegel, Trevor Shuder, Alyssa Wharen, Natalia Leschinskis, Christian Urbanowicz, Don Lesko, Paul Rider, Bob Scicchitano, William (Mike) Bradley and Ray Siko

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

Mr. Bradley stated he would like a moment of council time for discussion. Solicitor Greco asked if it was on the agenda. Mr. Bradley responded and said it is not on the agenda. Mr. Fanella questioned what the subject is. Mr. Bradley responded and said he applied for a handicap parking, private parking thing and has a question about it. Mr. Fanella stated this opportunity to be heard is for anything on the agenda and there will be an opportunity at the end of the meeting again to speak about anything not on the agenda.

PRESIDENTS REPORT – (Stephen Bielskie)

No Report

MAYORS REPORT- (Robert M. Slaby)

Mayor Slaby stated the annual yard sale will be held in the borough on June 22nd from 8:00 a.m. until 3:00 pm with a rain date of June 29th from 8:00 a.m. until 3:00 p.m.

SECRETARY'S REPORT- (Rhonda Wilk)

Rhonda Wilk stated a motion is needed to approve the meeting minutes from March 13, 2024, meeting.

MOTION- Mr. Novakoski made a motion and was seconded by Mr. Hodge to approve the minutes from the March 13, 2024, meeting.

VOICE VOTE-
Unanimous

Correspondence was received from the Tax Claim Bureau and was copied to both the Mayor, Council and Solicitor.

Solicitor Greco stated he responded to the code Heather and stated a mortgage that was attached was forgiven 20% per year, but the municipal liens are still valid if we have documentation which we should. The code officer, Heather Owens responded and said she sent it and stated there were two liens on that property.

Correspondence was received from Northumberland County Area Agency on Aging and Veterans Affairs. An offer was received from the agency to leave 1 desk, 1 sofa, 2 recliners, 2 end tables and the meeting room chairs for \$500.00 and was copied to the Mayor and Council.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Motyka to drop the rent for April in exchange for the items left behind by the Senior Action Center.

The council briefly discussed and questioned what they paid this year. Rhonda Wilk responded and said they paid for January, February, and March. It was determined the motion is based on dropping any rental charges for April.

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

Rhonda Wilk stated we received correspondence from Gregory Dibble of PA Department of Transportation requesting the Borough to enroll to electronically file liquid fuels annual report.

MOTION- A motion was made by Mr. Novakoski and seconded by Mr. Chesney to adopt Resolution 774 to adopt Liquid Fuels reporting agreement.

Mr. Chesney questioned who fills the paperwork out. Paul said he does and stated he wants to clarify what this is and said it is not something you must do. Paul Niglio stated this allows us to file our information, it's an alternative bookkeeping event, it's live we could put our checks in monthly and it is beneficial because we file the report manually.

Paul Niglio stated as you enter the checks to the system, they have a code of what line item and so the actual usage what we usually file in March, now it will be right there.

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

Rhonda stated an email was received from Trish at KMHJMA, they have interest in placing a lock box to be placed outside at the borough to collect sewer payments and was copied to Mayor and Council.

MOTION- Mr. Novakoski made the motion and was seconded by Mr. Motyka to approve the installation of a drop box outside the borough building for the KMHJMA at the expense of the Sewer Authority.

VOICE VOTE-
Unanimous

Correspondence was received from the Housing Authority on the Fight the Blight Annual Golf Tournament to be held on Friday May 31st at Indian Hills and Copied to Mayor/Council

Mr. Chesney stated for all the help they give us he thinks we need to support this cause with a donation of the same as last year and not knowing off hand what that amount is he is going to make a motion to donate the same as last year, whatever that amount was not to exceed \$250.00.

MOTION- Mr. Chesney made the motion and was seconded by Mr. Motyka to donate the same amount as done in past year not to exceed \$250.00 for the Golf Tournament event.

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

Correspondence was received from Northumberland County Economic Development and Planning regarding the Terry Miriello Stadium and was copied to the Mayor and Council.

And Correspondence was also received from Northumberland County Office of the Commissioners concerning CDBG and was copied to both Mayor/Council

Mr. Chesney stated that is the meeting Trish went to and took some notes on that. He said he spoke to Tonia and there is a little bit of a survey required on that. The solicitor questioned when this needed to be submitted by. Mr. Chesney stated they must be submitted by the 28th of April.

Mr. Niglio stated in the past, the housing authority and planning department of the county handled all of this. Mr. Niglio stated all the housing grants for the last 20 years they handled. Mr. Niglio said Greg Shoffler handled all that work, the surveys and everything. He stated they took an administrative charge out of that grant. Mr. Niglio stated it was not something new and stated he told Trish and his wife who sits on the board of the sewer authority. He said this is what the FEDS require; you need to find out where the money is going and where the income is low.

TREASURERS REPORT (Paul Niglio)

Mr. Niglio stated all Council received a copy of the financial information and the bills to be paid.

MOTION- Mr. Hodge made the motion and was seconded by Mr. Novakoski to approve the bills to be paid.

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

SOLICITORS REPORT (Edward Greco)

Solicitor Greco stated he followed up with Attorney Mike Finn regarding Lamp Light Acres and stated despite the assurances no action has been taken on that property and so the code office will issue appropriate citations.

Solicitor Greco stated a follow up letter was sent to the County Assessors Office regarding the 500 plus names to be added to the taxes. He stated we received a response from Tiffany Kaseman explaining why those names were not added for 2023, she assures us those names were added for 2024.

Mr. Motyka stated to set the record straight we had plenty of emails back and forth, last year if bills would have been sent out, we would not have had a hit to our revenue, our income. Mr. Motyka stated they did not do us justice and stated we were assured that would happen.

Solicitor Greco stated we are still going through the formal PPL complaint, although we are still in the informal process. He stated Mr. Motyka participated in that and stated we are waiting for additional information. Solicitor Greco stated Mr. Motyka provided additional information.

Solicitor Greco stated he spoke with the attorney on Monday of this week and we are still going to tell the commission we are in the informal process. Solicitor Greco stated we will try to schedule another call in the next two or three weeks.

Solicitor Greco reported we are still waiting on the survey to be completed on Kulp Lane.

Mr. Fanella questioned the solicitor if he had investigated the ordinance for collecting trash in the rear of the properties, the secondary streets. The solicitor stated he has been looking at ordinance and stated he thinks one of the issues was those houses that may have been blocked from putting it out in the alley.

Mr. Fanella stated about recycling if they did not have access, they would place it as they would. Solicitor Greco stated we will look into it further to be clear.

POLICE CHIEFS REPORT – (Stephen Mazzeo)

Police Report Attached.

Chief Mazzeo stated the ad was placed for the hiring of two police officers and stated as of today he received 2 emails, 1 call and a text but no applications. Rhonda Wilk stated she received prices for advertising in The News Item and stated it would be just under \$500.00 to run 3 times.

Mr. Motyka stated we want to show our citizens that we are actively looking for police and are doing everything we can to raise our salaries. Mr. Motyka stated we also have a \$5,000.00 sign-on bonus.

MOTION- Mr. Motyka made the motion and was seconded by Mr. Chesney to advertise in The News Item for two full time police officers at a cost up to \$500.00.

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

Mr. Motyka stated if we don't have anything by the next meeting then we will need to investigate advertising in Bloomsburg, Sunbury, and Pottsville papers.

Mr. Chesney stated he spoke to a couple of people also and stated for the little town we are, we are paying more than any neighboring situations to get people in here. He stated we can't really compete dollar for dollar with other entities because our tax base is a lot different. Mr. Chesney added we have no corporations, no industries but we are trying to attract, and it is just not happening.

Mr. Chesney stated he just wants people to know that this has been going on for over four years if not longer and stated we will continue to look and we will continue to try.

FIRE CHIEF REPORT – (Raymond Siko)

Fire Chief Report Attached.

Mr. Motyka stated in the report under comments, approval is needed to move forward with ladder testing. Chief Siko stated there is a cost to it, and stated he does not know how much it will cost and can't remember the last time they were tested.

Mr. Motyka asked Chief Siko if he wanted to get us a price on it. Chief Siko agreed. Mr. Motyka stated we pay for the maintenance of these trucks and stated he will make the motion to move forward with this testing. Mr. Motyka stated we don't need a price on the agenda to move forward, it would be an emergency purchase. Solicitor Greco stated we need it for certification and asked if that was correct.

Chief Siko stated the ladder should be tested for the safety of our volunteers and the pumps, some of these pieces are over twenty years old now.

MOTION- A motion was made by Mr. Motyka and seconded by Mr. Chesney to move forward with the ladder and pump test.

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

EMERGENCY MANAGEMENT – (vacant)

Vacant, no report

BUILDING INSPECTOR'S REPORT– (Tri County COG)

Report attached.

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

Report attached. Heather Owens reminded residents it is grass season time and asked residents to please mow their lawns, the rear of your properties, walkways, and entryways as well. Heather Owens asked all too please keep their trash in a can with a fitted lid.

Mr. Chesney stated he wrote a letter a couple weeks about it and stated he stands by the statement made, "either abide by the rules and keep your property clean or you can take the other branch which is out of town."

SERVICE AND FACILITIES – (Robert Fanella)

Mr. Fanella stated food surplus distribution will be held on April 18, 2024, from 9:00 until 11:00 at the borough garage.

Mr. Fanella stated 10 American Flags need to be replaced and a price quote of \$25.60 plus shipping was received. Mr. Fanella stated we received \$150.00 in donations to be put toward the purchase of the flags. Solicitor Greco stated he will pledge to donate

\$50.00 toward the replacement of the 10 American Flags. Mr. Fanella stated with the donations, there will be no cost in purchasing the flags.

Mr. Fanella stated the solar light on the flagpole needs to be replaced. Mr. Begis stated he got some prices, and they are thirty, forty dollars at the most. Mr. Fanella stated this is the one at the Veterans Field and questioned if we could do something to plug into power, solar light does not work so well. Mr. Motyka stated he will work with Ed to get that done.

Mr. Fanella stated pedestrian sign price quotes were received in the amount of \$135.00 each. He stated the ones we received before at no cost are no longer available and stated a few years ago Mr. Bozza went to Penn DOT, and we had permission to try signs, he stated his thoughts are we should do one to see if they work. The sign would go on the side of the road, he said we would use a smaller post and put them in the ground.

Mr. Motyka stated his opinion is he would like to see them in the middle of the road; people slow down to go around them. Ed Begis commented every day since we put them out someone has hit one. Mr. Motyka stated that has been the case for the last ten years we had them. Mr. Motyka questioned how many we need to add to the ones we have. After a brief discussion, Mr. Motyka stated he will make a motion to purchase five additional signs.

MOTION- A motion was made by Mr. Motyka and seconded by Mr. Novakoski to buy five center road pedestrian signs not to exceed \$700.00.

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

MOTION- Mr. Hodge made the motion and was seconded by Mr. Staskiel to spend up to \$400.00 for a new chainsaw.

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

Mr. Fanella stated we have a lot of new equipment to pack under one roof and stated he received a quote from J & S for a storage shed to be placed near the garage.

MOTION- A motion by Motyka and seconded by Novakoski to spend up to \$8,900.00 for a storage shed at garage.

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

MOTION – A motion was made by Mr. Motyka and seconded by Mr. Hodge to purchase two filing cabinets and an office chair for the administrative office.

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

MOTION- A motion was made by Mr. Novakoski and seconded by Mr. Motyka to advertise the storm water project placing advertisement locally in The News Item.

Mr. Motyka stated just to clarify the advertisement is free on Penn Bid on the internet, but we will need to advertise in our local paper as well. Mr. Chesney questioned if this is for the pipe down at the dog park or what this is for.

Mr. Motyka replied and stated this is the million dollars or so for storm water. Mr. Motyka stated this is all the grants we got over the last three years to put the storm water pipes underground and there is a half dozen locations or more.

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

FINANCE AND PURCHASING – (Stephen Motyka)

Mr. Motyka stated improvements were made in and around the parking lot at the dog park, he stated improvements were made with putting underground piping to remove the puddles and would like to see the K100 be reimbursed in the amount of \$265.00 for the pipe.

MOTION- A motion was made by Stephen Motyka and seconded by Mr. Novakoski to reimburse \$265.00 to K100 for the pipe at the dog park.

Mr. Chesney stated he will pay the \$265.00 to reimburse the K100 for the pipe.

Mr. Motyka withdrew his motion.

CODE HEALTH AND SAFETY- (Stephen Bielskie)

No Report

ORDINANCE COMMITTEE - (Robert Fanella)

No Report

RECREATION/GRANTS COMMITTEE – (Robert Chesney)

Mr. Chesney stated he has nothing new, other than the million things that are hanging and hopes they come true. Mr. Motyka stated as the newspaper reported we did ask Senator Casey, Senator Fetterman and Congressman Musser for direct appropriations for the solar project in town and stated he would like to move forward on the current grant due May 5th with the Department of Energy, the same project and stated it is good to have eggs in multiple baskets.

PERSONNEL- (Bernard P. Novakoski)

Mr. Novakoski stated we received three applications for a part-time secretarial position and is requesting to meet in executive session at the end of the meeting to discuss personnel.

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

No Report

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. William (Mike) Bradley stated he came up to apply for a parking place and stated he talked to Rhonda and provided her with a permanent placard and identification card that comes with it and stated he was told he needed to get a written statement from your physician describing the disability and the anticipated duration to be submitted yearly.

Mr. Bradley stated he believes that is a direct violation of his civil rights and a HIPPA Violation. He stated he thinks Council should probably look at that and stated he was really surprised there is a fee.

Mr. Bradley stated he will read word for word from the Disabilities Law of Pennsylvania and the ADA the Disabilities ACT. “Local Governments cannot charge fees to process requests for reserved accessible parking spaces, to renew reserved accessible parking spaces, or to install or maintain signage marking the reserved accessible parking space. The ADA prohibits the imposition of surcharges for the provision of reasonable accommodations.

Mr. Bradley stated since a reserved accessible parking space is a reasonable accommodation and fee related to such a request would be an unlawful surcharge.” Mr. Bradley stated it doesn’t matter how you word it you cannot financially penalize someone for being handicapped. Mr. Bradley stated he is sure a permanent placard is sufficient proof of being handicapped. Solicitor Greco thanked Mr. Bradley for bringing it to our attention and stated he will investigate it.

Mr. John Klokis stated he understands our resources are limited as far as police and people checking on things. There have been several problems at the rear of his house on

Scott Street and it was stated he has talked with the Mayor, Chief of Police, and the Code Officer about these.

Mr. Klokis stated one of them has been a suspected code violation, disturbance of the peace and driving a four-wheeler on the street at all hours of the night. He stated he thought he would come to the meeting to see what is going on and if we could take any measures to curb these things. Mr. Klokis stated one incident that occurred was when he was pulling his four-wheeler into the posted private parking space; he spun the back wheels while holding on the brakes and sprayed gravel and hit his garbage can.

He stated he told him to be more careful and he then called him an F' n scumbag. Mr. Klokis stated he uses power tools in his garage at two and three o'clock in the morning and it wakes him up. He stated he drives the four-wheeler in the alley late at night.

Mr. Klokis stated he comes up for a permit when he needs to paint his steps, but he does work in his garage, and he has not seen any work permit posted anywhere. He stated there is also very unusual activity at all hours of the night with different vehicles stopping at his house and turning the lights off and waiting there for a while in the alley and stated he just wants to know if we could do anything on the disturbing of the peace.

Mayor Slaby replied stating he returned his call and told him he would investigate it and then stated certain things that he will not discuss in this room and is not required to. Mayor Slaby stated he would be glad to meet with him and bring him up to speed; however, it is not appropriate for him to reveal what they found or did not find. Mayor Slaby stated he has been to his neighborhood on two occasions. Mayor Slaby stated to Mr. Klokis that he may come up and sit-down with him and the Chief to discuss.

Bob Scicchitano, state he owns the property at 526 Spruce Street and stated he is here to update council on what is going on with the property. He stated Mr. Webber owns the other side of the house and stated approximately two months ago he had entered into a verbal agreement; he was going to purchase half of the property. Mr. Scicchitano stated a business associate of his contacted Mr. Webber, and the agreement was, Kulpmont Borough is holding \$6,600.00 of his money in escrow and then he was going to sell the property to Mr. Webber for \$6,600.00 and sign the escrow over to him and so he technically is getting the house for free.

Mr. Scicchitano stated they agreed on that. The second phone call his associate called Mr. Webber back and he agreed to the \$6,600.00 and asked if he could clean it out. Mr. Scicchitano stated he agreed to clean it out. A third phone call occurred a few weeks back and he stated now since they are entering into the agreement, we need to get something signed, let's get an actual sales agreement.

Mr. Scicchitano stated his business associate called Mr. Webber and stated you are getting the house technically for free and Mr. Scicchitano is going to clean out the house. Mr. Webber then stated, "You can tell Mr. Scicchitano he is not getting an F'n dime of his money." Mr. Scicchitano stated he then thought he would buy his half and he would

rebuild both houses. He stated he then did his homework and contacted his realtor and asked how much a burned-out house is going for on the market. He contacted several realtors, and they are going for \$3,000.00 or \$5,000.00. He stated his business associate called him back and. Mr. Webber told him his half is for sale for \$16, 000.00 as he told the code officer, Heather Owens.

Mr. Webber stated he realized that is not a proper business opportunity he wants at this time. Mr. Scicchitano stated he met with four different contractors, three different investors and two different realtors and has kept insurance on his property the entire time in the case there was damage to anybody else's, Mr. Webber has not done so.

Mr. Scicchitano stated his shed just blew over and did damage to another house last week. He stated he now has the house under a signed sales agreement and is moving forward with a different gentleman. He said he is just updating the borough and stated at last month's meeting several of you said that I am the problem, and he is asking how he is the problem in moving forward. Mr. Motyka addressed the question and stated he does not agree with that statement and said he could vouch stating he drove by today and all the windows are boarded up and then stated he does not agree with that statement that was said and stated you did a wonderful job.

Mr. Scicchitano thanked Mr. Motyka and stated Mr. Chesney was explaining the progress to the Borough council last month and stated he could not hear who said Mr. Scicchitano is the problem in moving forward and stated he was just wondering why that statement was said. Mr. Hodge stated he thinks Mr. Bielskie made that statement.

Mr. Scicchitano stated he does not think he could have done anymore than offer the gentleman the house for free and then offer to buy the property for him to fix it up. Mr. Scicchitano stated there is your update on the property and you have seen the property and that is where we are at. He thanked Mr. Chesney, Mr. Hodge, and Mr. Motyka for following up on that. Mr. Niglio then made a statement the money in Escrow will be returned to the property owner upon the building being brought to the code.

Mr. Tumbler stated he owns the house at 834 Scott Street and stated the Lions club is directly behind him. He stated he watched drug dealings easily 100 times and briefly explained what he saw. He stated he drives the school bus here in Kulpmont, he stops on Spruce Street and Chestnut. He is concerned about what is witnessed by him and the school kids that are watching this happen. He stated his understanding is there was a raid on that house before he moved in. It is out of control, and he stated he cannot park his car out back and if nothing is done this is not going to end well.

Mr. Chesney addressed his concern stating we have an officer on in the evening and stated we do appreciate him for reporting and stated we must try and handle it.... Chief Mazzeo interjected and asked him to please; it is going on Facebook and will be in the paper and asked him to please not expose police operations. Mr. Chesney replied saying he is just thanking the guy for speaking.

Mr. Patrick Burns 936 Chestnut Street. Mr. Burns stated he is an active member of the fire department. He stated he would like to read something for the members of the fire department.

“We are very disheartened and find it extremely concerning the matter in which volunteers of the Kulpmont Fire Department are being treated with the lack of respect and partnership by the Kulpmont Borough Council. To continue to focus on providing the taxpayers of Kulpmont with superior fire protection and not be sidetracked by the lack of respect caused by this deteriorating relationship the Kulpmont Fire Department has found no other alternative other than to garner a legal counsel and request all future questions be directed to our legal counsel.”

Solicitor Greco responded and asked the department to have their counsel send him a letter. Mr. Burns stated he will send a letter of representation.

OLD BUSINESS-

Mr. Chesney questioned the code officer about the property on the 1200 Block of Chestnut Street and if anything is going on with that dilapidated property. Heather Owen responded and said just violations and stated she is hoping it goes up for tax sale.

NEW BUSINESS-

Mr. Fanella acting as president, announced council will meet in executive session to discuss personnel matters.

Solicitor Greco stated the council met for approximately 20 minutes in executive session to discuss personnel matters.

ANNOUNCEMENTS

None

Mr. Fanella acting as president, announced council will meet in executive session to discuss personnel matters.

Solicitor Greco stated the council met for approximately 20 minutes in executive session to discuss personnel matters.

ADJOURNMENT of the April 10, 2024, monthly meeting

Rhonda Wilk
Borough Secretary

Approval date May 8, 2024