

REGULAR MEETING OF PALMERTON BOROUGH COUNCIL

HELD IN BOROUGH HALL COUNCIL CHAMBERS

THURSDAY, APRIL 28, 2022, AT 7:00 P.M.

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Terry Costenbader, President of Council, called the duly advertised meeting to order at 7:00 p.m., with the following members present:

Terry L. Costenbader, Council President	Jenny Y.C. Cheng Esq., Solicitor
Kris W. Hoffner, Council Vice-President	Don Herrmann, Mayor
Michael J. Ballard	Timothy Kromer, Police Chief
Andrew J. Hollywood	Donna I. McGarry, Manager/Secretary
Cory Kepner	Kimberly A. Rodrigues, Recording Secretary
Richard L. Nothstein	
Holly F. Hausman Sell	

VISITORS

Bill Gallagher, 877 Lafayette Avenue; Chris, Debra and Chris Walkowiak, 1435 Summer Mountain Road; Frank Shipman, 520 Center Street, Bethlehem; David Huszait, Jr.; Beth Lutz and Zach Taylor, 155 Edgemont Avenue; Kevin Bush, 782 Molasses Valley, Kunkletown; Suzanne Mertz, 162 Delaware Avenue; Melanie Dixon, 161 Lehigh Avenue; Richard Kost, 220 Lafayette Avenue; Raberta and Jeremy Hans, 435 Franklin Avenue; John Cebrosky, Jr., 950 Edgemont Avenue; Jared Cebrosky, 445 Princeton Avenue; Marjorie and Joseph Federanich, 418 Princeton Avenue; Terry Arner, Times News reporter; Drew Snowberger, TV-13 Cameraman.

PLEDGE OF ALLEGIANCE

SHIPMAN'S PHARMACY RECOGNITION

On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council approved Resolution 676-22 recognizing Shipman's Pharmacy for its 50 years of service, dedication and commitment to the Palmerton community. A copy of the resolution is attached to these minutes.

Frank Shipman accepted the Resolution on behalf of the family business and thanked Council for the recognition.

SENIOR RECOGNITIONS

1. On motion by Michael Ballard, second by Holly Sell and voice vote, Council adopted Resolution 677-22 honoring Palmerton High School senior Emma Christman. A copy of the resolution is attached to these minutes.
2. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council adopted Resolution 678-22 honoring Palmerton High School senior Hannah Citron. A copy of the resolution is attached to these minutes.

3. On motion by Kris Hoffner, second by Andrew Hollywood and voice vote, Council adopted Resolution 679-22 honoring Palmerton High School senior Grace Heist. A copy of the resolution is attached to these minutes.
4. On motion by Kris Hoffner, second by Cory Kepner and voice vote, Council adopted Resolution 680-22 honoring Palmerton High School senior Erin Kistler. A copy of the resolution is attached to these minutes.
5. On motion by Holly Sell, second by Michael Ballard and voice vote, Council adopted Resolution 681-22 honoring Palmerton High School senior Kyle Sebelin. A copy of the resolution is attached to these minutes.
6. On motion by Richard Nothstein, second by Holly Sell and voice vote, Council adopted Resolution 682-22 honoring Palmerton High School senior Chris Walkowiak. A copy of the resolution is attached to these minutes.

A brief intermission followed the Resolution presentations to allow for photographs.

#### HEARING OF VISITORS

Beth Lutz of 155 Edgemont Avenue addressed Council as a member of the VALOR Clinic Foundation, a non-profit organization, who is requesting use of the Park on September 17, 2022 as a rally point to bring awareness to Veteran suicide. After several questions from Council, President Terry Costenbader asked the foundation to contact Councilman Kepner, Chairman of the Parks and Recreation Committee, to work out the event details. This would allow for a recommendation to Council and a decision at the next meeting.

Jared Cebrosky of 445 Princeton Avenue is concerned for the safety of residents and drivers pertaining to motorized bicycles and electric scooters on the sidewalks and streets. Chief Timothy Kromer relayed, per the Borough Code, the motorized units must follow all the same laws vehicles do, and depending on the horsepower, may require a license to operate. He will look further into this. Holly Sell suggested calling the Police Department when this activity is seen happening.

Jeremy Hans of 435 Franklin Avenue thanked the Police Department for the monthly updates posted on the internet.

Cory Kepner asked Chief Kromer what the biggest issues are the department is facing now, and Timothy Kromer responded speeding in general, the Third Street and Delaware Avenue traffic signal and the stop sign at Franklin Avenue and Mauch Chunk Road.

#### RATIFICATION OF MINUTES

On motion by Richard Nothstein, second by Michael Ballard and voice vote, Council approved the March 24, 2022 regular meeting minutes.

#### PETITIONS AND COMMUNICATIONS

President Costenbader announced that a summary of the petitions and communications is available for public inspection in the Borough Office in the form of a weekly mail log.

REPORTS OF VARIOUS COMMITTEES AND OFFICES

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|-----------------------------|---------------------------------|
| 1. Treasurer’s Report       | 5. Moving Permit Report         |
| 2. Zoning Officer Report    | 6. Code Compliance Agent Report |
| 3. Police Department Report | 7. Street Supervisor Report     |
| 4. Fire Chief Report        |                                 |

President Costenbader announced that these are on file in the Borough Office for public inspection during regular business hours.

MANAGERS REPORT

Donna McGarry reported:

1. The Borough has CDBG funds allocated for repaving the South side of Mauch Chunk Road this year, but Donna McGarry would like to re-program these funds to instead repair Railroad Alley in 2022 and schedule the repaving for 2023, as she has learned UGI will be installing a gas line on the South side of Mauch Chunk Road this year which would tear up the new paving. This change may prove to free up funds to be used for other projects.
2. Seven new trees have been donated and planted in the park.
3. The Water Department has completed a valve replacement project that will improve water flow to Aquashicola. Donna McGarry thanked Todd Merkel and the Water Department for their hard work, adding these valves have caused much trouble over the past few years.

REPORTS OF STANDING COMMITTEES

FINANCE

Richard Nothstein had no report.

PUBLIC RELATIONS/BOROUGH CODE

Holly Sell had no report.

BUILDINGS/RECREATION/PARKS

Cory Kepner reported:

1. On motion by Cory Kepner, second by Michael Ballard and voice vote, Council approved the following use requests. The approvals are subject to scheduling and availability.

<u>Applicant</u>	<u>Facility</u>	<u>Purpose</u>
Palmerton Recreation Committee	Park/Boro Gym	Rec Program
St. John Neumann	Park (3 <sup>rd</sup> St side)	School Field Day
Ryan Heller (SS Palmer School)	Park	Water Day (K-6 grades)
Palmerton American Legion	Delaware Ave/Park	Memorial Day Parade
Over 60 Club	Council Chambers	Over 60 meetings
Palmerton Community Band	Bandstand	Band Concert Rehearsal
Palmerton Community Band	Gym	Band Rehearsal

2. Thank you to Donna McGarry for her help obtaining estimates for the new holding cell and other security features at the Municipal Services Building. Things are moving along quickly.
3. The refurbishing of the Elmer Valo basketball courts has yielded two options. Option one totals \$10,854 and includes refurbished backboards, 2 sections of new fencing (an eight foot and four foot section), crack sealing and line painting. Option two totals \$19,159 and includes every item in option one, but replaces the crack sealing with a sports coating covering the entire court.

On motion by Cory Kepner, second by Richard Nothstein and voice vote, Council approved application to the Pocono Mountain Visitors Bureau for \$10,854 to refurbish the Elmer Valo basketball courts. This grant offers 50% of total project costs, with the remaining 50% covered by the Borough.

4. Andrew Hollywood asked Council to consider converting the West End Recreation Area to a dog park since it is no longer used by baseball or other recreational programs. Ideally the project would be funded privately, by grants and with fundraisers and would include addressing water issues, the addition of fencing, installation of a two-gate system, vehicle driving paths and waste clean-up stations. Donna McGarry reached out to the Little League and they were not opposed to using the area for something else.

On motion by Andrew Hollywood, second by Michael Ballard and voice vote, Council agreed to convert the West End Recreation Area from a recreation facility to a dog park.

5. Donna McGarry informed Council the Borough Hall Gym is closed until further notice as a result of vandalism and advised the incident has been turned over to the Police Department for restitution of damages. She would like to reiterate to residents there are rules for a reason and is asking for the public to respect the facility.

After discussion, Council agreed to re-open the gym at the discretion of the Borough Manager. All were disappointed with the incident and do not want to see the actions of a few ruin it for others. There is surveillance in the gym and vandalism will not be tolerated.

## PUBLIC SAFETY

Kris Hoffner reported:

1. On motion by Kris Hoffner, second by Andrew Hollywood and voice vote, Council approved advertisement of Ordinance 765 amending vehicles and traffic for handicapped parking requests.

2. Kris Hoffner reported on a concern of the Fire Department regarding alarms, stating there were 31 false alarm calls in 2021 and already eight in 2022. The department would like Council to consider changing the Ordinance for un-intentional alarms.
3. A radar speed sign is being considered for purchase in an effort to control speeding in certain areas of town. The unit is \$3000.00 and would be moved periodically to different locations such as Mauch Chunk Road, Delaware Avenue, Fifth Street and the 100 Block of Franklin.

#### STREETS & SIDEWALKS

Andrew Hollywood reported:

1. On motion by Andrew Hollywood, second by Michael Ballard and voice vote, Council approved advertisement of Ordinance 766 amending vehicles and traffic for unlicensed and uninspected vehicles.

#### SEWER/SOLID WASTE/WATER

Michael Ballard reported:

1. Mike Ballard thanked the Water Department for their work on repairing the valves.

#### PERSONNEL

Terry Costenbader reported:

1. On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council approved the employment of Cindy Roberts at a rate of \$11.97.

#### DISPOSITION OF BILLS

On motion by Richard Nothstein, second by Michael Ballard and voice vote, Council approved payment of the invoices and the check register as presented.

#### REPORT OF THE MAYOR

Don Herrmann reported:

1. Public Works has installed equipment in the police station to allow for uploads of data from the dash cams, while Brad from the Public Works Department installed the dash cams in the vehicles; thank you for their assistance. Chief Kromer mentioned after next week's dash and body cam training, he will write a usage policy for the officers to review.
2. The bike patrol will be up and running by mid-May after two of our officers are certified. I picked up the medium Trek Police bike on April 16<sup>th</sup> and the shop informed me the large police bike should be completed by May 2<sup>nd</sup>, which will be in time for our officers to use for training.

If it would not be ready for training, we have use of the Departments original Smith and Wesson bike, and the Borough of Jim Thorpe is allowing the use of one of their police bikes if necessary. A special thanks to Mayor Sofranko and Chief Shantz of Jim Thorpe for their help.

3. AED's are all operational and Rachel Moyer, an AED Advocate, has donated an extra AED. This unit was given to Todd Merkel in public works and Ms. Moyer has ordered a second unit for public works. If training is needed, I can ask Ms. Moyer to come to Palmerton one day. AED pads have also been provided. Thanks to the Carbon Monroe Pike Drug and Alcohol Center in Lehighton for their help with replenishing the departments Narcan supply.
4. I will be proclaiming May 14, 2022 as Sergeant Major Daniel Dailey Day in Palmerton in honor of his service to his country and his retirement.
5. I will also be participating in the Memorial Day Parade in Palmerton on May 30<sup>th</sup>.
6. A special thanks to Shea's Hardware for donating 14 safety vests to "Kids for the Community" to protect them while they are helping to clean up the town.

#### REPORT OF THE POLICE CHIEF

Timothy Kromer reported:

1. Body cameras and dash cameras are fully operational and uploading properly with training scheduled for May 3, 2022. Once the training is completed, the policies will be finalized and submitting to the Public Safety Committee for review/approval. We are having battery issues in some of the patrol vehicles due to wiring problems from aftermarket installations by Kovatch. Brad and I are executing a plan to resolve that issue.
2. Officers Shimer and Stern will attend Bicycle Patrol Certification at the Allentown Police Academy in May. Once completed and all of their equipment and uniforms have been received, the bicycle patrol will be active.
3. Officers Stern and Koch will be attending ARIDE (Advanced Roadside Impaired Driving Enforcement) in May hosted by Lehighton PD, which will make all officers ARIDE certified. This course goes above and beyond standardized field sobriety testing, allowing the officers to better recognize drug impairment. This is especially important as 80% of PPD's DUI arrests are drug related.
4. Detective Buck and I are actively completing the training for Evidence Processing/Disposal. Upon completion we will begin rectifying the current evidence situation and purging old evidence.
5. I am serving on the Police Policy Committee for the new Carbon County Fire and Police Training Facility, which is under construction. The Police Training Center is scheduled to be completed by the end of June. The entire facility is scheduled to be completed in September.

OLD BUSINESS

1. Donna McGarry announced new flags and poles were ordered for Delaware Avenue, but they will not arrive in time for Memorial Day. Therefore, the old ones will be going up for another season.

NEW BUSINESS

1. Holly Sell reminded residents to slow down. With the warm weather more children will be at play.
2. Michael Ballard reminded residents to clean up after their dogs.

ADJOURNMENT

On motion by Richard Nothstein, second by Michael Ballard and voice vote, Council adjourned at 8:15 p.m.

Respectfully submitted,

Kimberly A. Rodrigues  
Recording Secretary

Donna I. McGarry  
Manager/Secretary