

REGULAR MEETING OF PALMERTON BOROUGH COUNCIL

HELD IN BOROUGH HALL COUNCIL CHAMBERS

THURSDAY, JANUARY 27, 2022, AT 7:00 P.M.

Terry L. 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.
Kris W. Hoffner, Vice-President	Don Herrmann, Mayor
Michael J. Ballard	Timothy Kromer, Chief of Police
Andrew J. Hollywood	Donna I. McGarry, Borough Manager
Holly F. Hausman Sell	Kimberly A. Rodrigues, Recording Secretary
Cory Kepner	

Absent: Richard Nothstein

VISITORS

Chris and Alice Kegel, 608 Columbia Avenue; Dolores Szucs, 440 Delaware Avenue; Scotty and Susan Morrison, 292 Harvard Avenue; Raberta and Jeremy Hans, 435 Franklin Avenue; Marjorie and Joseph Federanich, 418 Princeton Avenue; Ed Condon, 630 Mauch Chunk Road; Rachel and Doug Kotansky, 630 Mauch Chunk Road; William Gallagher, 877 Lafayette Avenue; Jared Cebrosky, 445 Princeton Avenue; Christal Benninger, 437 Little Gap Road; John Cebrosky Jr., 950 Edgemont Avenue; Alexia Roseberry, 328 Delaware Avenue; Terry Ahner, Times News Reporter; TV-13 Cameraman, WFMZ Cameraman.

PLEDGE OF ALLEGIANCE

HEARING OF VISITORS

Terry Costenbader reviewed action that had been taken in 2019 when Mr. Condon requested a plaque be placed in the park in memory of Butters the Squirrel, and how an agreement had been reached to plant a tree instead. At the last Council meeting, a request was again made by Mr. Clark DeBear to place a plaque in park. Council was unable to act on that because the topic was not on the agenda.

When the benches were sponsored through the Concourse Club project, individuals paid \$100 for a bench with a plaque. Because an ample supply of benches were purchased, no additional benches have been allowed in the park. Mr. Costenbader stated he felt it should not be Council's position to place another plaque on a bench sponsored through the Concourse Club's program. He suggested Council determine if they want to start a policy of allowing animal memorials in the park. He also informed the visitors that anyone speaking would be limited to three minutes, and Holly Sell reminded them to use their real name and address.

Ed Condon of 630 Mauch Chunk Road told the story of Butters the Squirrel and asked Council to consider installing a plaque in her memory on a bench in the Borough Park. He would be willing to install the plaque and relayed Butters was not a normal pet and this is not a normal circumstance. He also feels it would be a reason for out-of-town travelers to visit Palmerton.

William Gallagher of 877 Lafayette Avenue spoke his opinion on the plaque for the squirrel, relaying Palmerton should not immortalize a feral animal. He continued by saying there are many accomplishments by residents of Palmerton that have not been honored with a plaque in the park and Council should not start this for animals.

Susan Morrison of 292 Harvard Avenue also does not agree with memorializing a squirrel, or any pet, in the park. She appreciates nature and also loves to feed the squirrels, but feels it should stop there.

Dolores Szucs of 442 Delaware Avenue expressed her disapproval of the bench and plaque in the park in memory of Butters the Squirrel and was embarrassed for the town by the television interviews. She says there is so much to love about Palmerton and the Park, but don't set a precedence for others.

Raberta Hans of 435 Franklin Avenue is also against the plaque and feels it should not be placed on a bench that someone else is memorialized on. She suggested planting a tree in the park that other squirrels in the park could play under.

Holly Sell, although sorry for the loss of Butters the Squirrel, expressed her concern about feeding wild animals in the park. Not only is it dangerous for the community and the individual, it can potentially lead to the demise of the animal as it becomes domesticated and cannot survive in its natural habitat. As a member of Council she feels a duty to protect the residents and children of the community and cannot condone feeding wild animals in the park. Kris Hoffner thanked Ed Condon for coming out to the meeting and his courage and commitment to the request. Cory Kepner added it was not an easy decision for him, but one that needed to be made.

On motion by Cory Kepner, second by Michael Ballard and voice vote, Council denied placing a plaque on a park bench in memory of Butters the Squirrel.

On motion by Cory Kepner, second by Michael Ballard and voice vote, Council moved to disallow the placement of plaques, signs or other visual designation in the Borough Park in memory of animals. If the need exists and a suitable location is determined, a tree may be planted as a memorial with permission of the Borough.

Holly Sell asked if the last motion would carry forward for other projects and would the organizations need to understand their donations in memory only cover individuals, not animals. Jenny Cheng confirmed.

Alexia Roseberry of 328 Delaware Avenue and a senior at Palmerton Area High School, told Council she feels the construction of a skatepark in town would be a wonderful idea. She understands the concerns of vandalism and public disturbance to a point, but feels kids really have no where to go, and if they did, they wouldn't be causing trouble. She suggested fundraising events to raise the money and asked Council to please take her words into consideration. Holly Sell thanked Ms. Roseberry for coming to the meeting and her well spoken presentation. Andrew Hollywood thanked her as well and told her they could talk after the meeting regarding the skatepark. Cory Kepner feels the Borough

should look at other locations where the skateparks are on Borough property, but managed by a non-profit organization and use this as a model before deciding which route to go.

Jeremy Hans of 435 Franklin Avenue asked Council if the Borough has a current tow away policy at fire hydrants. Chief Kromer advised it has been past practice to ticket the vehicle and try to make contact with the vehicle owner, but will look at the Borough Ordinance and Vehicle Code for an answer.

RATIFICATION OF MINUTES

On motion by Terry Costenbader, second by Michael Ballard and voice vote, Council approved the December 16, 2021 and January 13, 2022 regular meeting minutes and the January 3, 2022 re-organization 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.

MANAGER'S REPORT

Donna McGarry reported:

1. The new fire truck loan was finalized last week with a rate of 1.49 percent. The expected delivery date of the truck is May or June 2022.
2. The Quality of Life ticketing system has begun with many tickets already issued for snow and ice. Donna McGarry met with Code Officer Clark Ritter and Police Chief Timothy Kromer regarding the junked vehicles section of the ordinance and decided that Chapter 74 should be removed from the Borough Code and handled by the Police Department via the Vehicle Code.
3. Kris Hoffner asked if the Borough has a current list of people willing to shovel snow for residents in need and suggested Terry Ahner add something to his article on the subject. Donna McGarry informed Council the office is developing a list of names retrieved from the Palmerton Here and Now Facebook site. Don Herrmann suggested reaching out to the National Honor Society members as part of community service.

REPORTS OF STANDING COMMITTEES

FINANCE

Kris Hoffner reported:

1. On motion by Kris Hoffner, second by Michael Ballard and voice vote (Holly Sell abstained), Council approved the Volunteer Tax Credit eligibility list pending receipt of a notarized and signed five member list.
2. On motion by Kris Hoffner, second by Michael Ballard and voice vote, Council approved the Memorandum of Agreement for the Chestnut Ridge Greenway Trail Feasibility study.
3. On motion by Kris Hoffner, second by Michael Ballard and voice vote, Council approved the 2021 Per Capita Tax Exoneration List in the amount of \$315.00.
4. On motion by Kris Hoffner, second by Michael Ballard and voice vote, Council appointed Berkheimer Associates to collect the balance of 2021 per capita taxes in the amount of \$6,200.00 base plus \$620.00 for a total of \$6,820.00.

PUBLIC RELATIONS/BOROUGH CODE

Holly Sell reported:

1. On motion by Holly Sell, second by Andrew Hollywood and voice vote, Council adopted Resolution 672-22 approving the Carbon County Hazard Mitigation Plan. A copy of this is attached to these minutes.

Don Herrmann asked for clarification of the plan before signing the resolution.

BUILDINGS/RECREATION

Cory Kepner reported:

1. On motion by Cory Kepner, second by Michael Ballard and voice, Council approved the following use requests. The approvals are subject to scheduling and availability; and the requesting organizations are responsible for following any COVID-19 regulations currently in effect:

<u>Applicant</u>	<u>Facility</u>	<u>Purpose</u>
Palmerton Memorial Park Assn.	Council Chambers	Meetings
Parryville Fire Company	Park	Yard Sale
Concourse Club	Bandstand	Concerts in the Park

4. On motion by Cory Kepner, second by Michael Ballard and voice vote, Council renewed the Palmerton Memorial Park Association lease.

PUBLIC SAFETY

Kris Hoffner reported:

1. On motion by Kris Hoffner, second by Michael Ballard and voice vote (Holly Sell abstained), Council approved the 2022 Palmerton Municipal Fire Company membership list recommended by the Fire Chief.

STREETS & SIDEWALKS

Andrew Hollywood reported:

1. On motion by Andrew Hollywood, second by Michael Ballard and voice vote, Council renewed the snow plow cooperation agreement with Lower Towamensing Township.
2. On motion by Andrew Hollywood, second by Michael Ballard and voice vote Terry Costenbader abstained), Council approved the Rolling Cruise request for fire police and police to help with traffic control on August 13, 2022.

SEWER/SOLID WASTE/WATER

Michael Ballard reported:

1. On motion by Michael Ballard, second by Kris Hoffner and voice vote, Council renewed the sludge removal agreement with Waste Management for five years at a rate of \$103.11 per ton.

PERSONNEL

Terry Costenbader reported:

1. On motion by Terry Costenbader, second by Andrew Hollywood and voice vote, Council appointed Kris Hoffner as a representative of Council to the PA Municipal Fire Department Support Team Board of Directors.
2. On motion by Terry Costenbader, second by Kris Hoffner and voice vote, Council appointed Jason Nicholas to the Palmerton Municipal Fire Company.
3. On motion by Terry Costenbader, second by Michael Ballard and voice vote, Council entered into an Executive Session at 7:48 p.m. to discuss personnel and litigation. On motion by Michael Ballard, second by Holly Sell and voice vote, Council reconvened their regular meeting at 8:00 p.m.

DISPOSITION OF BILLS

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

REPORT OF THE MAYOR

Don Herrmann reported:

1. After a tour of the Police Department, including Don Herrmann and Cory Kepner, several safety concerns were observed that will require immediate attention. The Mayor would like Council to consider using a portion of the COVID relief funds to renovate the Police Station.
2. The Safety Committee should expect a proposal in the upcoming months to reinstate the Bike Patrol as he feels it is ideal for community policing. Since the Bike Patrol was previously implemented Michael Ballard feels it should be an easy transition.
3. St. Luke's is working to get 6 replacement pads and a battery for the AED units they previously donated to the Police Department. Michael Ballard advised Mayor Herrmann and Chief Kromer the Ambulance Company can also supply the department with pads for the AED units.
4. Don Herrmann reminded residents to yield to pedestrians in the crosswalks; it is a state law.
5. Don Herrmann asked residents to contact the Borough office about issues with snow plowing, not the Mayor.

OLD BUSINESS

None.

NEW BUSINESS

1. Cory Kepner informed Council he did an inspection at the Municipal Services Building and found a number of concerns in the basement area. These included water, trash, and code issues. He also discussed the need for planning improvements, and potential funding sources for the Police Department needs.

ADJOURNMENT

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

Respectfully submitted,

Kimberly A. Rodrigues
Recording Secretary

Donna I. McGarry
Borough Manager