

REGULAR MEETING OF PALMERTON BOROUGH COUNCIL

HELD IN BOROUGH HALL COUNCIL CHAMBERS

THURSDAY, JUNE 22, 2023, 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
Richard L. Nothstein	Timothy Kromer, Police Chief
Andrew J. Hollywood	Autumn Canfield, Manager/Secretary
Cory Kepner	Kimberly A. Rodrigues, Recording Secretary
William A. Gallagher	

Absent: Holly Sell

VISITORS

Jason Behler, 727 Franklin Avenue; Dean Bechs, Franklin Haas, 893 Edgemont Avenue; Larry Zawaly, 757 Delaware Avenue; Christina Obrecht, 339 Lehigh Avenue; Bruce Hettler, 874 East Princeton Avenue; Lisa Snell-Kern, 220 Edgemont Avenue; Kyle Behler, 512 Lafayette Avenue; Glenn Bonser and Phylis Eilie, 378 Delaware Avenue; Raberta and Jeremy Hans, 435 Franklin Avenue; Nathan and Tabitha Serfass, 85 Whispering Wood Drive; Judy Bollinger, 175 Olive Street; Jasmine and Tammy Garris and Jason Peters, 755 Franklin Avenue; Marjorie and Joseph Federanich, 418 Princeton Avenue; Jared Cebrosky, 445 Princeton Avenue; Austin Wilburn, 139 Lehigh Avenue; Jarrad Hedes, Times News reporter; Drew Snowberger, TV-13 Cameraman.

PLEDGE OF ALLEGIANCE

FIRE DEPARTMENT PROCLAMATION

A Fire Company Proclamation was read by Kris Hoffner and presented to Franklin Haas for completion and certification of Fire Fighter 1 training.

FIRE DEPARTMENT APPOINTMENTS

On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council appointed Jasmine Garris and Nathan Steinmetz to the Palmerton Municipal Fire Company, as well as a Junior Firefighter.

SWEARING IN OF FIRE COMPANY MEMBER

Mayor Herrmann performed the swearing-in of newly appointed Fire Company member Jasmine Garris.

## HEARING OF VISITORS

Raberta Hans of 435 Franklin Avenue expressed her concern over the leaking roof at the Municipal Services Building and asked Council why they would put off repairing the roof because they are looking at possibly re-locating the Police Department. Terry Costenbader and Cory Kepner explained there has been no decision to build or not build a new building for the Police Department and the Public Works Department is getting quotes for the roof repair.

Bruce Hettler of 874 East Princeton Avenue thanked the Public Works Department for their help and guidance during his sewer line break.

Marj Federanich of 415 Princeton Avenue suggested microphones be placed around the Council bench during future meetings.

Glenn Bonsor of 378 Delaware Avenue feels a noise ordinance should be enforced in Palmerton and complained about a neighboring property. Chief Kromer explained the department will cite for noise with the statute under disorderly conduct.

Larry Zawaly and Christina Obrecht provided Council with a presentation of various donations to the Palmerton Community over the years with proceeds from the Crusaders for a Cause Carnival. This is their 17<sup>th</sup> year, and they give away 60-70% of their profits as per the 501C regulations.

Tabitha and Nathan Serfass of Palmerton and Judith Bollinger of Lehighton, all representing the Behler Foundation, expressed their disappointment over the new Park Ordinance regulating use of the Bandstand, and the lack of policing in the park. They relayed that most kids using the Bandstand will do so without destruction, and it is only a select few ruining it for everyone. They added their parents/grandparents, Donald and Mary Behler, would not be in favor of such regulations and as a result would like Council to reconsider the Ordinance.

Lisa Snell Kern thanked the Serfass' and Judith Bollinger for their words and support against enacting the Ordinance to regulate Bandstand use, and suggested investing in new security cameras. She also asked Council to consider changing the dog handler age from 18 years old to 16 years old in section 88-7, number 7, of the Park Ordinance relating to the Dog Park. In response to Lisa Snell-Kern and the Serfass/Bollinger request, Andrew Hollywood relayed there is plenty of area in the Park where kids can be kids, not only the Bandstand, and it is not the responsibility of the Borough to find amusement for the kids in town.

Discussion continued on the development of activity centers for town ranging from skate parks to rec areas and the advantages and disadvantages of each. Cory Kepner advised the skate park idea was looked into by former Borough Manager Donna McGarry and believes it was not something Council wanted to pursue. In conclusion residents feel the kids need a centralized place to gather and hang-out, not necessarily a facility to entertain them. They also feel the Police Department should be present in the park on foot patrol more often and additional security cameras installed. Andrew Hollywood agreed the police need to monitor the Park and the cameras more often, while Cory Kepner explained this is a multi-faceted issue that Council is actively dealing with.

## RATIFICATION OF MINUTES

On motion by Richard Nothstein, second by Kris Hoffner and voice vote, Council approved the May 25, 2023 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

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

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

MANAGERS REPORT

Autumn Canfield reported:

- 1. The Liquid Fuels Audit was performed and the Borough is awaiting the findings.
- 2. Kirk, Summa and Company submitted the 2022 Financial Statement draft for review.

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 Richard Nothstein and voice vote, Council approved the Crusaders for a Cause request for use of the Borough Park for their annual carnival.
- 2. On motion by Cory Kepner, second by Richard Nothstein and voice vote (Terry Costenbader abstained from Pace-Maker requests), Council approved the following use requests. The approvals are subject to scheduling and availability.

<u>Applicant</u>	<u>Facility</u>	<u>Purpose</u>
Palmerton Rifle/Pistol Club	Rifle Rang	Firearm Safety/Instruction

3. On motion by Cory Kepner, second by Kris Hoffner and voice vote, Council tabled the adoption of Ordinance 776 for further discussion.
4. On motion by Cory Kepner, second by Richard Nothstein and voice vote, Council approved Resolution 704-23 authorizing application for a Peer-to-Peer grant with PMPA.
5. Cory Kepner advised there are no updates on the Police Station building at this time.

#### PUBLIC SAFETY

Kris Hoffner reported:

1. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council approved the Fire Department apparatus replacement policy.
2. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council approved Lehighton Borough's request for Fire Police assistance.
3. On motion by Kris Hoffner, second by Cory Kepner and voice vote, Council approved the Bikers Against Bullies request for Fire Police assistance.
4. On motion by Kris Hoffner, second by Cory Kepner and voice vote, Council approved the request from Penn Forest Township for Fire Department coverage.
5. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council approved the Fire Department to attend the Franklin Township 50 Year recognition event.
6. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council approved the updated internship policy.
7. On motion by Kris Hoffner, second by Cory Kepner and voice vote, Council approved listing the 1996 Smeal Pumper for sale on Muncibid.

Cory Kepner relayed how impressed he is with the Fire Department, especially pertaining to the apparatus replacement policy.

#### STREETS & SIDEWALKS

Andrew Hollywood reported:

1. On motion by Andrew Hollywood, second by Cory Kepner and voice vote, Council authorized advertisement of the ARLE Grant bid.

#### SEWER/SOLID WASTE/WATER

William Gallagher reported:

1. A report on the Sewage Enforcement Officer will be given later in the meeting.

#### PERSONNEL

Terry Costenbader reported:

1. On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council approved the personnel policy update.
2. On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council approved Brian White as Officer in Charge from June 13, 2023 to June 19, 2023, and Kevin Buck from June 26, 2023 to July 3, 2023.

#### DISPOSITION OF BILLS

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

#### REPORT OF THE MAYOR

Don Herrmann reported:

1. Mayor Herrmann expressed his disappointment with the Police Department, especially with the lack of time spent on bike patrol, stating a total of only five hours for this year. He feels the department needs to be more proactive instead of reactive and would like to see more community policing. He also advised the park surveillance cameras will be on 24 hours a day in the Police Department.
2. Thank you to the Behler Foundation for their generosity.

#### REPORT OF THE POLICE CHIEF

Timothy Kromer reported:

1. Patrolman Stern recently completed the PA State Police Municipal Firearms Instructor Course and Municipal Rifle Instructor Course at the Northwest Training Center. With Patrolman Stern's certification, as well as the addition of Patrolman Green, our department now has three firearms instructors that have been certified by the PA State Police to conduct pistol, shotgun, and rifle qualifications.
2. The 2<sup>nd</sup> Annual First Responders Awareness Event that was scheduled for tonight has been canceled but may be re-scheduled. I will provide an update on it once I gain more information.
3. A reminder that the Palmerton Police Department is again hosting National Night Out on Tuesday, August 1, 2023. The annual movie in the park will be held on the same night, after the National Night Out event. Anyone who is interested in participating or donating can contact the Palmerton Police Department.

OLD BUSINESS

1. Autumn Canfield advised Council that Northface has once again approached the Borough for LERTA consideration. After discussion among Council, they agreed to table discussion until an updated proposal is obtained from Northface.

NEW BUSINESS

1. On motion by Terry Costenbader, second by Richard Nothstein and voice vote, Council entered into an Executive Session at 8:03 p.m. to discuss Land Matters. On motion by Andrew Hollywood, second by Kris Hoffner and voice vote, Council reconvened their regular meeting at 9:10 p.m.
2. On motion by William Gallagher, second by Andrew Hollywood and voice vote, Council appointed Keystone Consulting Engineers as the Borough Sewage Enforcement Officer.

ADJOURNMENT

On motion by Richard Nothstein, second by Cory Kepner and voice vote, Council adjourned at 9:12 p.m.

Respectfully submitted,

Kimberly A. Rodrigues  
Recording Secretary

Autumn Canfield  
Manager/Secretary