

REGULAR MEETING OF PALMERTON BOROUGH COUNCIL

HELD IN BOROUGH HALL COUNCIL CHAMBERS

THURSDAY, MAY 25, 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:

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| 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               |
| Holly F. Hausman Sell                   | Autumn Canfield, Manager/Secretary         |
| Andrew J. Hollywood                     | Christal M. Benninger, Recording Secretary |
| Cory Kepner                             |  |
| William A. Gallagher                    |  |

VISITORS

Raberta and Jeremy Hans, 435 Franklin Avenue; Jared Cebrosky, 445 Princeton Avenue; Marjorie and Joseph Federanich, 418 Princeton Avenue; Jason Behler, 727 Franklin Avenue; Hunter, Rob and Noah Sell, 909 Charles Street; Gary Bonser, 242 Princeton Avenue; Shannon and Garrett Broadfield, 134 Lehigh Avenue; Austin Wilburn, 139 Lehigh Avenue; Kyle Behler, 512 Lafayette Avenue; Natalie and Scott Mosier and Joyce Boyer, 745 Spruce Hollow Road; Aaron and Justin Sebelin, 650 Columbia Avenue; Kira, Bill and Lisa Hauser, 1525 Stagecoach Road W; Emma and Melissa Martinez, 367 Lafayette Avenue; Riley, Craig and Sheri Fallon, 30 Crescent Drive Leighton; Brittany Stepp, 4100 Fireline Road; Kerry and Tristynn Eckhart, 518 ½-520 Franklin Avenue; Michael & Jeanie Henning, 4100 Fireline Road; Carolee Boyer, 202 Lafayette Avenue; Terry Arner, Times News reporter; TV-13 Cameraman.

PLEDGE OF ALLEGIANCE

INTRODUCTION OF NEW POLICE OFFICER

Chief Kromer introduced Trevin Green as our new Full Time Police Officer.

SENIOR RECOGNITIONS

On motion by Holly Sell, second by Richard Nothstein and voice vote, Council approved the reading of:

- Resolution 698-23, Honoring senior Riley Fallon ready by Holly Sell
- Resolution 699-23, Honoring senior Kira Hauser read by Terry Costenbader
- Resolution 700-23, Honoring senior Emma Martinez read by William Gallagher
- Resolution 701-23, Honoring senior Natalie Mosier read by Kris Hoffner
- Resolution 702-23, Honoring senior Justin Sebelin Read by Don Herrmann

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

FIRE COMPANY PROCLAMATIONS

1. Fire Company Proclamations were presented to Brittany Stepp, read by Cory Kepner, Gary Bonser, read by Richard Nothstein and Rob Sell, read by Andrew Hollywood.

HEARING OF VISITORS

Lisa Snell Kern asked Council if all current ordinances are available online. Autumn Canfield, Borough Manager, explained they are available at the office during regular business hours.

Lisa Snell Kern thanks the Borough crew for seeding the Dog park.

Lisa Snell Kern asked if Palmerton has an Emergency Plan in place. Autumn Canfield explained there is a plan in place and an EMA Coordinator. Along with the County EMA Coordinator the plan was updated in the past year.

Kerry Eckert and his daughter Tristynn Eckhart of 518 ½ Franklin Avenue addressed a problem with a neighbor at 518 Franklin Avenue. Terry Costenbader told them to call the Borough office and the Police Department to address all the issues that they are having.

RATIFICATION OF MINUTES

On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council approved the April 27, 2023 regular meeting minutes.

On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council amended the April 13, 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       | 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

Autumn Canfield reported:

1. Blight Committee: Code enforcement officers attended the last blight meeting to discuss the difficulties they face in addressing blighted properties. The conversations of the group focused on remediation options and how to build funding. Some options discussed have been Act 152 through the County and Land Banking amongst the municipalities. There was a recommendation to include a line item to address blight in municipal budgets. This can be discussed further during budget time.
2. PennDOT Scoping Meeting: The Borough was awarded an ARLE grant for modifications to the signal at Third and Delaware. On a recent call with PennDOT, they mentioned they are planning a project in the area to upgrade the remaining traffic signals as well as to streamline traffic flow. PennDOT will match what pole we have in place, so the street is uniform.
3. On motion by Richard Nothstein, second by Cory Kepner and voice vote, Council approved the Repository Property: The property bid for repository lot 29A-33-106 was accepted, and the appropriate checks have been sent. The next step is to file for a tax exemption for the lot as the Borough is now the owner. A letter will be sent to the County requesting exemption retroactive to the sale.

#### REPORTS OF STANDING COMMITTEES

##### FINANCE

Richard Nothstein reported:

1. On motion by Richard Nothstein, second by Kris Hoffner and voice vote, Council adopted Resolution 703-23 amending Resolution 541 for the sale of surplus personal property. A copy of this resolution is attached to these minutes.
2. On motion by Richard Nothstein, second by Andrew Hollywood and voice vote, Council approved the cash balance audit as presented by Kirk, Summa and Company, LLC.

##### PUBLIC RELATIONS/BOROUGH CODE

Holly Sell had no report.

##### BUILDINGS/RECREATION/PARKS

Cory Kepner reported:

1. On motion by Cory Kepner, second by Andrew Hollywood and voice vote (Kris Hoffner abstained from Raising the house requests), Council approved the following use requests. The approvals are subject to scheduling and availability.

<u>Applicant</u>	<u>Facility</u>	<u>Purpose</u>
Christina Peppard	Park	Qigong Class
Blue Mtn Community Church	Park	Youth group game night
Bethany Wesleyan Church	Bandstand/Park	Family fun event
Raising the House	Council Chambers	Pre-race registration
Raising the House	Park	5-K Race

2. On motion by Cory Kepner, second by Andrew Hollywood and voice vote, Council approved the Concourse Club request to install concrete planters at the Bandstand entrance and asked that a design be submitted for review.
3. On motion by Cory Kepner, second by Andrew Hollywood and voice vote, Council held a first reading of Ordinance 776, repealing Ordinance 366, and approved for advertisement.
4. On motion by Cory Kepner, no second, motion not carried to meet with St. Luke's regarding the 135 Lafayette Avenue property as a potential building site, as Council has questions concerning the motion .

Council continued their discussion on a new building for the police department as Cory Kepner mentioned the committee met with KCE who recommended a new building be built. Autumn Canfield stated she would investigate funding options. Cory Kepner would like to look at the old Hospital site and speak with St Luke's, while Kris Hoffner mentioned that the Northeast corner of the North Face site may be an option. Holly Sell asked about looking into if this will offset homeowner's insurances if the location moves from its current location, Chief Kromer does not believe so. William Gallagher has major concerns regarding this location and crossing through a school zone, Chief Kromer said we are currently in a school zone and that we would not need to go through a school zone to get to Delaware. Autumn Canfield mentioned that the committee should put together a list of locations that they want to investigate and weigh all the pros and cons and bring it to discussion. Andrew Hollywood mentioned that KCS did say that the roof needs to be replaced at the current Police Department. Holly Sell mentioned that we need a plan in place, drawings, and location list to further this discussion. William Gallagher said he thinks the current building should be fixed and upgraded. Andrew Hollywood asked Autumn Canfield if she feels this could be 100% funded, Autumn said she has had great success in the past with getting funding for projects. Council asked for Land, site prep and building information. KCS recommended 5,000 square footage is needed for the new building. Solicitor Jenny Cheng advised all motions be tabled at this time until discussed further.

5. On motion by Cory Kepner, second by Andrew Hollywood and voice vote, Council approved the planning phase of determining size and location for a new Police Department.

#### PUBLIC SAFETY

Kris Hoffner reported:

1. On motion by Kris Hoffner, second by Richard Nothstein and voice vote (Holly Sell abstained), Council approved the use of \$99,146.00 in ARP funds for the Palmerton Municipal Fire Department.
2. On motion by Kris Hoffner, second by Andrew Hollywood and voice vote, Council adopted the holding cell policy as presented.
3. On motion by Kris Hoffner, second by Richard Nothstein and voice vote, Council authorized the Police Department to attend the First Responders Expo.

#### STREETS & SIDEWALKS

Andrew Hollywood reported:

1. On motion by Andrew Hollywood, second by Richard Nothstein and voice vote, Council awarded the 2023 Road Paving Project bid to Bracalente as recommended by KCE.

#### SEWER/SOLID WASTE/WATER

William Gallagher reported:

1. On motion by William Gallagher, second by Andrew Hollywood and voice vote, Council will consider letters of interest from Sewage Enforcement Officers.
2. On motion by William Gallagher, second by Richard Nothstein and voice vote, Council waived the street opening fee for the Borough Sanitary Sewer project.

#### PERSONNEL

Terry Costenbader had no report.

#### DISPOSITION OF BILLS

On motion by Richard Nothstein, 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. He welcomed our new officer, Trevin Green, to the Palmerton Police Department. Officer Green is very community oriented and is eager to help the Palmerton community.
2. A reminder to residents to be cautious while driving in town and obey posted signage as there will be more children walking, playing and riding their bikes in the upcoming months.
3. Thank you to R&S Flooring for their work on the bandstand floor, and a special thanks to Joe Federanich for his efforts in coordination this work.
4. A special thanks also to Sheas Hardware, Councilman Nothstein, Joe Federanich, and Lusicky accountants for their donation of sports equipment to the Palmerton Pool. It is greatly appreciated.
5. Congratulations to all the Palmerton Area Seniors that will be graduating on June 2<sup>nd</sup> best of luck with your future endeavors.
6. Please remember Monday, Memorial Day, all of those who gave their life for our country.

#### REPORT OF THE POLICE CHIEF

Timothy Kromer reported:

1. Trevin Green is a native of Palmerton Borough, having attended the SS Palmer Elementary School and graduated from Palmerton High School. He brings with him his military service and six years of law enforcement experience and will most certainly be an asset to the Department. I am happy to welcome him to our department.
2. The newest member of our patrol fleet, a 2023 Ford Police Interceptor Designated as Unit 52, is in service. Thank you to Lehigh Valley Fleet Solutions for the upfit and Jet Signs for the graphics design. Also, a huge thank you to Brad, our Borough Mechanic, for all his hard work in getting it patrol ready.
3. Palmerton Police Department will be participating in the Second Annual First Responders Awareness Event. It is again being held at the Mahoning Valley Drive In on June 22<sup>nd</sup>, from 5-8 PM. We attended the event last year and look forward to participating again this year.
4. Palmerton Police Department is again hosting National Night Out on August 1, 2023. The annual movie in the park will be held on the same night, after the National Night Out event. A big thank you to Lisa Snell Kern and the Concourse Club for their assistance with that coordination. We are hoping this year will be even more successful than last year. Invites have already been sent out, as well as information on the event being posted on our Department Facebook page.

#### OLD BUSINESS

None

#### NEW BUSINESS

1. On motion by Terry Costenbader, second by Holly Sell and voice vote, Council entered into an Executive Session at 8:21 p.m. to discuss Personnel and Litigation. On motion by Andrew Hollywood, second by Richard Nothstein and voice vote, Council reconvened their regular meeting at 9:35 p.m.

#### ADJOURNMENT

On motion by Richard Nothstein, second by Holly Sell and voice vote, Council adjourned at 9:40 p.m.

Respectfully submitted,

Christal M. Benninger  
Recording Secretary

Autumn Canfield  
Manager/Secretary