

The monthly meeting of Lansford Borough Council for general and executive purposes was held 6:00 p.m. Wednesday, February 14, 2018, at the borough hall. The meeting was called to order by President Jared Soto and the Pledge of Allegiance was recited.

ROLL CALL

Roll call was taken by President Jared Soto. Council members in attendance were: President Soto, Vice President Irma Leibensperger, President Pro Temp John Turcmanovich, Joseph Butrie, Marie Ondrus, Mayor James Romankow, Solicitor Michael Greek and Secretary/Treasurer Jill Seigendall. Absent were Bob Silver, Matthew Walsh and Junior Council Person Isabella Blasko.

EXECUTIVE SESSION

Jared Soto called an executive session to discuss the pending police collective bargaining agreement, borough garage building or buying plans, police personnel, and supervision of subcontractors and office personnel.

PUBLIC COURTESY

The group came out of executive session at 6:30 p.m. About 15 residents entered the meeting including Chris Reber of the Times News Newspaper and cameraman from TV Channel 13. Jared Soto offered, in addition to speaking within the three minute limit, that residents may submit a written complaint or comment after the meeting.

Mario Marconi, 34 W. Abbott Street, work leader in the public works department, asked whether the former "Kutz's Garage," 408 W. Bertsch Street, is being considered as the site of the future borough garage. John Turcmanovich explained that three council members toured the site but said, "no decision has been made". Mr. Marconi said, "in my opinion the site is too small."

APPROVAL OF MEETING MINUTES:

The meeting minutes for the monthly meeting of January 10, 2018 were reviewed.

A motion was made by John Turcmanovich to approve the January 10, 2018 minutes.

The motion was second by Irma Leibensperger. All were in favor, motion passed.

The meeting minutes for the special meeting of January 24, 2018 were reviewed.

A motion was made by John Turcmanovich to approve the January 24, 2018 minutes.

The motion was second by Irma Leibensperger. All were in favor, motion passed.

CORRESPONDENCE

- **Pa. Dept of Conservation & Natural Resources (DCNR)** - Grant Application period Jan 22-April 11, 2018 for park projects including rehabilitation of existing parks.
- **PA Commonwealth Financing Authority** – Grant rejection letter for LSA Grant Application for Streetscape Improvement Project Phase II
- **Lansford Alive** - Letter of 1/29/18 requesting Improvements at Kennedy Park; replace walkways, wiring upgrade, tree trimming and repairs to the gazebo.
- **Emergency Services Training** – Classes available coordinated by Carbon County EMA
- **Coaldale Fire Co.** – A thank you letter to public works department for assistance at a fire.
- **Am. Fire Co. No. 1** – The borough is copied on a thank you to LC Joint Water Authority for assistance at 401 E. Abbott Street Fire.
- **Panther Valley School District** – Inquired whether bus stop changes are being considered. Changes to the middle school bus stop were mentioned. The topic will be on the agenda for the public safety committee meeting.
- **Carbon County Tax Claim** – Totals for all 2017 unpaid real estate taxes. The borough unpaid tax totaled \$237,087.46.

The following correspondence, received since the January 10, 2018 meeting, was not enclosed in council's meeting packet to save paper, copies available upon request:

Tamaqua Transfer Tonnage Report; 2,049.16 tons of Municipal Waste and 104.58 tons of Recycling collected in 2017.

CC Tax Assessment Report Summary for January 9, 2018; Assessments Total \$33,231,208. 2018 Budget was based on 2017 Report \$33,380,944. A difference of \$149,736.

CC Sheriff's Office - Notice of Sheriff Sale 334-338 W. Bertsch Street

Penn. State Assn. of Borough's – In recognition of the borough's membership, a special edition clock was received and now hangs in the borough office.

COSTARS Salt Contract Participation Agreement was approval by Pa. Dept of General Services for Aug 2018-July 2019 season.

UNIVEST Police Pension Fourth Quarter 2017 (Oct-Dec 2017) investment report; Quarterly fee \$1,290.61 is paid by the Pension Plan.

PA DEP – from DEP Geologist Thomas Harnett – the review of Silberline's Sewer Vapor Intrusion Work Plan was found acceptable to DEP.

COMMITTEE REPORTS:

Parks & Recreation – The 2/7/18 meeting report was read by Joseph Butrie. Potential park projects were discussed; paving the basketball court and skate park near the tennis court at the Lansford/Coaldale border and considered using rubber mulch instead of wood mulch at the parks. Results of the Lansford Alive State Farm Grant application are expected to be announced in April.

A motion was made by Joseph Butrie to get bids for resurfacing of the basketball court and skate park. The motion was second by Jared Soto. There was no discussion from the public. All of council was in favor of the motion. Motion passed.

Public Works – The 2/7/18 meeting report was read by Jared Soto. The 2014 International Truck is at Five Star International in Allentown for repairs. The committee recommends removal of two parking meters along W. Ridge Street at the "T" intersection of Center and W. Ridge Streets. There is an unsafe condition at this intersection because it is hard to see oncoming vehicles traveling west on W. Ridge Street due to cars parked in the end angled parking spaces on the southeast corner of the intersection. Additionally, the committee recommends removing the end two angled parking spaces on that W. Ridge Street southeast corner and replace with one parallel parking space.

A motion was made by Joseph Butrie to remove the two end parking meters and angle parking spaces on W. Ridge Street (at the Southeast Corner of the Center and W. Ridge Street "T" intersection) and replace with the installation of one parallel parking space with a sign that reads "parallel parking only". The motion was second by John Turcmanovich. In public comment Rose Mary Cannon remarked that replacing the spot with a parallel parking space would be just as dangerous as the current angle parking when backing out of the space. All voted in favor of the motion, motion passed.

St. John's Byzantine Church, 116 E Bertsch Street, requested a "no parking" sign be placed behind the church on Kline Avenue to allow access to its handicap ramp. The committee recommended a sign "No Parking Here to Corner" on Kline Avenue. There were questions and no action was taken at this time.

Marie Ondrus asked council to approve \$2,000.00 matching funds to match a grant application for street signs and posts through the Carbon County Office of Economic Development. Estimates for the project will be obtained. No action was taken at this time.

There was discussion about whether to appoint a borough engineer and whether to put the original borough garage pole building project out for bid a second time. Joseph Butrie believes Tyrone Rarick will lease his garage at 327 W. Bertsch Street for \$1.00 for a year beginning April 1, 2018. Borough

equipment could be housed there while a new borough garage building is constructed or relocated. This would give the borough a plan to communicate to the PA Department of Labor and Industry who are waiting for the borough's response to its letter of violations at the current borough garage location. **Joseph Butrie made a motion to lease Tyrone Rarick's garage, 327 W. Bertsch Street, at the cost of \$1.00 per year to house borough equipment while a new borough garage is constructed or relocated. The motion was second by Irma Leibensperger. All were in favor. Motion passed.**

Joseph Butrie made a motion to re advertise the construction of a pole building at the borough garage site; using the same specifications as the prior bidding round and using the services of Keystone Engineering to rebid the project. The motion was second by Marie Ondrus. All were in favor, motion passed.

Municipal Administration – Irma Leibensperger read the 2/7/18 meeting report. An estimate of \$7,000.00 was received from auditing firm Brian T. Kelly CPA & Associates, LLC.

A motion was made by Irma Leibensperger to retain the auditing firm of Hutchinson, Gillahan & Freeh to complete the 2017 audit, as previously agreed upon in a Letter of Engagement with that firm. The Letter of Engagement states the audit cost not to exceed \$10,700.00. The motion was second by John Turcmanovich. All were in favor. Motion passed.

Code, Planning & Zoning – The 2/7/18 meeting report was read by Jared Soto. Administration of code services was discussed. In the report Bob Silver recommended that code be separated into three separate hiring positions; zoning officer, code administration official and building inspector. Joe Butrie was against hiring code employees "in house" and prefers an outside contractor for the position. Also, re-codifying borough ordinances was discussed.

Marie Ondrus acknowledged the following property owners for improving their properties: Barbara Willis purchased a double home at 223-225 W. Kline Avenue and had it demolished; Mark Kosica, 30 W. Bertsch Street, and Heartland Rentals LLC owner Charles Trovato for improving former Germaine's Place, 52 W. Ridge Street.

John Turcmanovich mentioned past attempts to get Zoning and U.C.C. permit records from former code contractor Barry Isett Inc. Attorney Greek did write letters to Barry Isett Inc. to recover the files but nothing ever came of it. Legal action was not considered.

Public Safety – John Turcmanovich gave a verbal report. The Ford Expedition police car, Car 104, is no longer in service. The committee discussed replacement of car 104 with a quad cab pickup truck, with storage and hauling capability. Turcmanovich said price wise the truck is cheaper than another Ford Explorer. Applications from two part time officers, Vincent Morrow and Thomas Sabulsky, were reviewed by council. Both officers have been investigated, interviewed and passed polygraph testing. During their interviews it was explained that work hours would include nights, weekends and holidays.

John Turcmanovich made a motion to hire Thomas Vincent Sabulsky as a part time police officer as needed, nights, holidays, and weekends. The motion was second by Jared Soto. All were in favor, motion passed.

A motion was made by John Turcmanovich to hire Vincent Michael Morrow as a part time police officer as needed, nights, holidays, and weekends. The motion was second by Irma Leibensperger. All were in favor, motion passed.

John Turcmanovich made a motion to allow himself, Mayor Romankow and Chief Soberick to go to Kovatch Ford and obtain paperwork for the purchase of the cheapest quick response vehicle (QRS) to replace Car 104. This will be to get information only, not to make a purchase. The motion was second by Jared Soto. All were in favor except Joseph Butrie who voted no. Motion passed.

Mayors Report – Mayor Romankow reported police receipts of \$1,730.00 for the month of January; breakdown: Reports/Misc., \$95.00; Meter/Parking permits, \$200.00; Parking tickets, \$1,225.00; Quality of Life Tickets, \$210.00. Year to date total is \$2,325.00.

Police Report – During January the police answered 490 calls; made 8 criminal arrests, issued 33 traffic citations, 22 non-traffic citations, 39 parking/ordinance tickets, and 7 quality of life tickets.

Fire Department – The American Fire Co. No 1 answered 15 calls in January; 8 in Lansford, 2 in Summit Hill, 2 in Coaldale, 2 in Nesquehoning, and 1 in Jim Thorpe.

Ambulance – The Lehighon Ambulance responded to 47 incidents in Lansford during the month of January. The average response time from dispatch to arrival on scene was 9.02 minutes.

Code Enforcement – In her January report Tracey Herman issued 8 renovation permits; 3 for Zoning and 5 Building. She closed 2 rental registration renewals and processed 7 new rentals; performed 13 inspections and 4 re-inspections. Fifteen re-inspection notices were sent. Three property maintenance complaints were investigated.

Carbon County Tax Collection Committee – No report, next quarterly meeting is scheduled for Feb. 21st, 10:00 a.m. at the Lehighon School District administration building.

Treasurers Report -

Bills to be approved total \$45,590.69; General Fund \$41,857.80, Liquid Fuels \$3,519.11, Park & Rec \$159.90, Sewer Transmission \$53.88.

In the report Seigendall suggested paying Collinson Inc. guide rail bill, for installation of guide rails along Edgemont/Dock Street Bridge, estimated at \$8,100.00 from the LST account for public works safety.

John Turcmanovich made a motion to pay the Collinson Inc. guide rail bill, estimated at \$8,100.00 from the LST Fund. The motion was second by Joseph Butrie. All were in favor, motion passed.

John Turcmanovich made a motion to pay the monthly bills totaling \$45,590.69. The motion was second by Joseph Butrie. All were in favor, motion passed.

Additionally, it was noted that the annual commission from the CLSH Sewer Authority has been received in the amount of \$33,850.20 and was deposited into the sewer transmission fund.

Council received all checking account activity and Profit/ Loss Budget vs Actual for all funds.

2018 End of Month Balances 2018

	Account Title	End of Dec	Jan
7673	General Acct	\$176,811.41	\$178,889.68
7681	Sanitation Fund	\$69,669.07	\$104,484.18
0283	Investors Money Mkt Acct	\$51,582.39	\$51,591.15
1198	Sewer Transmission(reserve acct)	\$164,322.56	\$164,350.47
7772	Escrow for 22 W(E) Kline Ave	\$3,000.00	\$3,000.00
7780	Escrow for 20 E Kline Ave	\$2,180.11	\$2,180.11
7699	Lansford Pool Account	\$41,322.03	\$41,325.77
7706	Treasurers Special Hi Way	\$31,424.70	\$27,015.84
7714	Sewage Transmission	\$59,499.06	\$77,761.04
5402	Loan Proceeds Acct(reserve acct)	\$202,709.75	\$202,709.75
7722	Local Service Tax/EIT	\$36,119.27	\$36,813.43
7730	Sanitation Fund Money Mkt Acct	\$12,137.18	\$12,138.28
7748	Fire	\$37,013.03	\$37,447.03
7756	Recreation	\$39,121.40	\$40,139.28
7764	Street Lights	\$19,477.75	\$11,232.63
		\$946,389.71	\$991,078.64
Loans	LOANS	Est Balance	Est Balance
	Sewer Transm#5537 4/21/15	1,111,158.85	1,096,457.49
	Street Light Fund#6309 11/12/09	138,724.11	138,724.11

	Liquid Fuels #3886 10/28/14	22,256.35	22,256.35
	Gen Fund or LST 1/5/17	23,317.48	23,317.48
		1,295,456.79	1,280,755.43

Solicitor's Report - Attorney Greek reviewed the following: An argument date has been set in March on the Borough vs. Goncalves matter; the judge has not yet made a decision on the Borough vs. Hiles matter. The letter to remove the pile of dirt at the top of Tunnel Street has been sent to Mr. Kokinda. A prehearing statement was lodged by the Diocese of Allentown for the property at 124 E. Abbott Street, former St. Katherine Drexel Roman Catholic Church (a.k.a. St. Michael's Roman Catholic Church); the diocese is looking for a reduction in assessment.

UNFINISHED BUSINESS

- **Chapter 94 WasteLoad Report** - In its letter of January 10, 2018, CLSH Sewer Authority/Carbon Engineering requested completion of Chapter 94 WasteLoad Management Report for 2017. The Chapter 94 Report is due March 10, 2018. In the past the engineering firm needed three weeks to complete the report. There was discussion whether to engage an engineer for individual projects or appoint a firm as borough engineer.

A motion was made by Joseph Butrie to have Keystone Consulting Engineers complete the Chapter 94 WasteLoad Report and engage Keystone Consulting Engineers on an as needed basis as projects are encountered. The motion was second by John Turcmanovich. All were in favor, motion passed.

- **Fourth of July meeting date** - Committee meeting date on July 4, 2018 will be changed; postponement date is undecided.
- **Zoning Hearing Board** – An e-mail was read by President Soto from zoning hearing board member Donna Valent. Due to her appointment to the Lansford Coaldale Joint Water Authority she tendered her resignation from the zoning hearing board. Zoning Hearing Board members are not allowed to serve on any other borough elected or appointed position.

A motion was made by Joseph Butrie to accept Donna Valent's resignation from the zoning hearing board. The motion was second by Irma Leibensperger. All were in favor, motion passed.

- **Board Vacancy appointments:**
Zoning Hearing Board – 2 vacancies
Park & Recreation Board – 2 vacancies
Police Pension Board – 1 vacancy
Vacancy Board – 1 vacancy
Flood Plain Administrator – 1 vacancy

Letters of interest for the zoning hearing board and the park & recreation board were received from both Ronald Derr & Douglas Knauss.

A motion was made by John Turcmanovich to appoint Douglas Knauss to both the Zoning Hearing Board and the Park & Recreation Board. The motion was second by Joseph Butrie. All were in favor, motion passed. All were in favor, motion passed.

Mr. Knauss accepted the appointment to the Zoning Hearing Board but declined the appointment to the Park & Recreation Board.

A motion was made by John Turcmanovich to appoint Ronald Derr to both the Zoning Hearing Board and the Park & Recreation Board. The motion was second by Joseph Butrie. All were in favor, motion passed.

Ronald Derr accepted the appointment to the Park & Recreation Board but declined the appointment to the Zoning Hearing Board.

Police Pension Board – no action was taken at this time because qualifications for the board need to be verified.

Flood Plain Administrator – This position was added to the 2018 annual DCED Municipality Report of Elected Officials.

A motion was made by John Turcmanovich to appoint John “Jack” Soberick (current Chief of Police and EMA Coordinator) to the position. The motion was second by Joseph Butrie. All were in favor, motion passed.

- **Residential Swimming Pools** – Last year code enforcement found inconsistencies between the International Property Maintenance Code (IPMC) and the 2003 Lansford Zoning Ordinance regarding Swimming Pool depth. Attorney Greek asked whether he should amend the Lansford Zoning Ordinance to match the IPMC.

A motion was made by Joseph Butrie to have Attorney Greek proceed with amending 2003 Zoning Ordinance to match the International Property Maintenance Code regarding water depth in swimming pools. The motion was second by Jared Soto. All were in favor, motion passed.

NEW BUSNIESS

A motion was made by Joseph Butrie, second by John Turcmanovich to advertise the street materials and antiskid contracts which expire April 17, 2018. The motion was second by John Turcmanovich. All were in favor, motion passed.

Executive Session

At 8:05 p.m. Jared Soto called a five minute recess followed by an executive session to discuss the police collective bargaining agreement and personnel issues; the supervision of borough office personnel and supervision of outside contractors.

Out of Executive Session

President Soto called the meeting back to order at 8:36 p.m.

- Borough police officers and public works personnel have conditions within their collective bargaining agreements defining a chain of command for supervision. Office personnel do not have a written policy for supervision. In recent years, past practice, office personnel were supervised by a chain of command beginning with the chairperson of municipal administration, president of council, and vice president of council. Due to conflicting directives from council persons, the office employees requested a supervision policy in writing - to be added to the meeting minutes, included in their conditions of employment and job descriptions.

A motion was made by John Turcmanovich to approve a supervision policy entitled “Supervision Policy for Borough Office Employees” which states the chain of command for directives to office employees: 1) chairman of municipal administration, 2) president of council, 3) vice president of council. This in no way diminishes the requests of all members of council. It provides a clear procedure for accomplishing duties and prevents conflicting directives to employees -the policy to be included in these minutes. The motion was second by Irma Leibensperger. All were in favor. Joseph Butrie abstained from voting because his wife is employed in the borough office. Motion passed.

Supervision Policy for Borough Office Employees

The police officers and public works employees in the borough have conditions within their collective bargaining agreement of who they take directives from; who they are accountable to. In the case of the police, they follow directives of the Mayor and coordinate with the Chairman of the Public Safety for borough matters. In the case of Public Works employees, they coordinate with the Chairman of the Public Works committee for borough matters.

Lansford borough office employees have an employee handbook, conditions of employment and job description which outline their responsibilities. However, it is not stated anywhere in these three documents who to take directives from regarding the work they are performing. It is necessary for the borough office employees to have a supervision policy similar to others employed by the borough to encourage a system of clear communication and avoid conflicting directives; so one employee is not getting directives from multiple members without any common goal outlined. When there is a consistent system in place where one person provides directives it is less confusing for the office worker receiving the directives, and the worker knows who to report to if anything needs to be taken care of.

It has been past practice, because the borough does not have a manager or administrator, that any office worker directives from council members go through the chairperson of the Municipal Administration Committee. If the chairperson of Municipal Administration is not present, any requests would go through the Borough Council President. In the absence of both these, the requests should go next through the council vice president.

This past practice procedure is being made into policy by a motion passed at a borough council meeting held February 14, 2018. This Supervision Policy for Borough Office employees will be in effect moving forward to prevent any future confusion and to have a coordinated policy for the borough office employees similar to those of the police and public works employees. Additionally, this policy will be included in the office personnel Conditions of Employment; currently the secretary/treasurer, assistant secretary/ treasurer, Office Manager, and Open Records Officer.

- Due to invoices received from borough subcontractors for borough work expenses incurred by council persons, a policy for the supervision of outside contractors; attorneys, engineers, accountants, etc..... was reviewed by council. The policy allows the borough secretary/treasurer, council president, and council vice-president to give directives to subcontractors.

A motion was made by John Turcmanovich to approve the "Directives Policy for Subcontracted Entities" regarding the supervision of outside contractors engaged by the borough. The policy is to be included in these minutes. The motion was second by Joseph Butrie. All were in favor, motion passed.

Directives Policy for Subcontracted Entities

Definition: A subcontracted entity or outside contractor is defined as any agency/person/company providing service for the borough through a contractual agreement. Examples of subcontracted entities in the borough include, but are not limited to: code administration (LVIS), attorney, engineer, health inspector, auditors, accountants, cleaning.

Because Lansford Borough does not have a manager or administrator, the unwritten policy to this point has been subcontracted entities report to and takes directives from the

borough secretary/treasurer, council president and council vice-president regarding any directives they are to follow through on. For example, if a topic is brought up and acted on through motion at a council meeting it is the secretary/treasurer's responsibility to forward the request to the appropriate entity. This is done because contacting subcontracted entities more than necessary causes confusion of what directives to follow and just as important, if not more important, can cost the borough additional money if additional unnecessary and unapproved contacts are made. It is important for everyone, borough employees and council members, to be on the same page with this in order to streamline this process.

If there are specific requests made to subcontracted entities, those requests should go through committee chairman for review and approval before moving forward. In the event someone is unsure of what committee the entity would fall under to make the request, it should be directed to borough council president and/or vice-president for review and approval.

A motion to approve this "Directives Policy for subcontracted Entities" was unanimously passed at the February 14, 2018 monthly meeting of Lansford Borough Council.

ADJOURNMENT

At 8:40 p.m. A motion was made by John Turcmanovich to adjourn the meeting. The motion was second by Joseph Butrie. All were in favor and the group dispersed.

Respectfully Submitted,

Jill Seigendall

Secretary/Treasurer