

**LANSFORD BOROUGH COUNCIL**  
Regular Monthly Meeting  
February 13, 2019 6:00 p.m. 1 W. Ridge Street

The February monthly meeting of Lansford Borough Council was held 6:00 p.m. February 13, 2019 at borough hall, 1 W. Ridge Street, Lansford, PA.

The Pledge of Allegiance was recited and roll call was taken by Secretary Treasurer Jill Seigendall. Council persons attending were: President Jared Soto, Joseph Butrie, Marie Ondrus, Vice President Irma Leibensperger, Bob Silver, Pres. Pro Temp John Turcmanovich, Bruce Markovich, and Mayor James Romankow. Attorney Michael Greek arrived at 6:30 p.m. following the executive session.

**Executive Session** - Jared Soto called the group into executive session to discuss personnel applications for plow drivers public works, part time police and possible property purchase for the public works department.

At 6:30 p.m. the group came out of executive session. About thirty people were in the audience as well as the camera man for TV Channel 13.

**Presentation to American Fire Co. No.1 and Officer Morrow**

Jared Soto turned the meeting over to Mayor James Romankow and Fire Chief Joseph Greco. Life Saving Awards; plaques and accommodation bars, were awarded to Assistant Fire Chief Ron Hood, Fire Fighter Frank Marek, & LPD Officer Vincent Morrow for outstanding efforts and actions during a February 5, 2019, 911 call to a carbon monoxide incident at the Steven and Roseann Orach residence, 805 E. Patterson Street. Officer Morrow called for assistance from the American Fire Co. No. 1 and Leighton Advanced Life Support Service. Officer Morrow and Fire Fighter Marek could see two unresponsive adults inside the home, forced open the door and removed the male and female residents with the assistance of Ron Hood who moved them to safety. The patients were transported to the hospital and are doing fine. Also participating in the presentation were Chief Jack Soberick and Officer Jarrod Bulger.

**Public Courtesy:**

Chris Ondrus, 10 Edgemont Road, questioned the frequent mine blasting and its effect on the borough water and sewer lines. He asked whether the mines are aware of the borough lines. Mr. Soto and Mr. Turcmanovich suggested consulting with Attorney Greek about what the borough requires regarding mine blasting procedures. Additionally, Mr. Ondrus asked about the borough's written policies regarding entrance into borough buildings; the borough office, borough garage and police station.

Jennifer Staines, 353 W. Abbott Street, also asked about the mine blasting and had photos of a 3 ft. high retaining wall on her property that she said has collapsed due to the blasting. She spoke with Ross Clark of Anthracite Mine and plans to meet with him.

Michelle Bartek, 333 E. Abbott Street, asked about the missing Sabol file from the 2003 HOME Grant Program (missing at the 2016 audit of the 2003 HOME Program). Secretary Treasurer Jill Seigendall explained that the missing file has not been found however the receipts and expenses for that project are documented and that the loan portion of that project was forgiven when the applicant lived in the home for 5 years. Ms. Bartek also complained about four wheelers; off road quads running in town and asked whether the police could be equipped with quads to pursue the offenders.

Tommy Vadyak, 334 W. Abbott Street, asked Mr. Turcmanovich about contacting the Pa. Department of Environmental Protection about the mine blasting. He said the borough is creating an

unsafe situation when plowing snow at the intersection of Cortright and W. Abbott Streets and that the school district should take better care plowing snow at the stadium lot, rocks are being plowed into the street.

Joe Pavlis, 45 Springgarden Street, asked about the status of the scaffolding at the former St. Katherine Roman Catholic Church, 124 E. Abbott Street, stating that the scaffolding is in violation of the borough Zoning Ordinance. Mr. Soto said the borough's code enforcement agency, Lehigh Valley Inspection Services, was working on this but the agency is no longer working for the borough. Mr. Soto will check on the status and get back to Mr. Pavlis.

Rose Mary Cannon, 342 W. Ridge Street, said the 2003 HOME Program was administered by an outside consultant, either Del Gesso Associates or Lester Unterberg.

Jean Hill, 327 E. Abbott Street, urged council to apply for grants.

Joseph Butrie, 443 E. Ridge Street, asked Chief Soberick about line painting for parking on the newly resurfaced Route 209. PennDOT plans to paint the lines in the spring using the state footage requirements.

Douglas Knauss, 23 W. Ridge Street, thanked the Lansford Police Department, American Fire Co. No.#1, and Lehighon Ambulance for their assistance on January 13<sup>th</sup> when his wife needed assistance.

#### **Minutes Approved:**

- November 14, 2018 Regular Monthly Meeting  
**Irma Leibensperger made a Motion to approve the November 14, 2018 minutes as written. The Motion was second by Bob Silver. All were in favor except for Marie Ondrus. Motion passed; 6 yes, 1 no.**
- December 10, 2018 Special Budget Meeting  
**A Motion was made by Irma Leibensperger to approve the December 10, 2018 minutes as written. The Motion was second by John Turemanovich. All were in favor except for Marie Ondrus. Motion passed; 6 yes, 1 no.**

#### **Correspondence:**

**Special Event Application** – The American Fire Company No. 1 submitted an application to “close off” and restrict parking in the unit block of E. Bertsch Street to hold a Food Truck Rally and Meat Raffle event on May 11, 2019, between the hours of noon and 8:00 p.m.

**A Motion to approve the Fire Company Food Truck Rally and Meat Raffle Event was made by Bob Silver, second by Irma Leibensperger. All were in favor, Motion passed.**

**CC Tax Claim Bureau** – Seeking council's approval or disapproval of the following repository sales; seller is the reputed owner:

- Parcel 122A3-22-A45, 239 E Ridge St. sold from Donna Billet to Angel Canales for \$1,000.00

**A Motion to approve the Sale was made by Bob Silver, second by Jared Soto. All were in favor, Motion passed.**

- Parcel 122A3-22-R18, 242 E. Kline Ave. sold from Richard Keenhold to Sher Khan for \$987.00.

**A Motion to approve the Sale was made by Bob Silver, second by Irma Leibensperger. All were in favor except for Joseph Butrie. Motion passed; 6 yes, 1 no.**

- Parcel 122A2-24-K3, 38 W. Patterson St. sold from Heather Herberger to Sher Kahn for \$1,356.00

**A Motion to approve the Sale was made by Bob Silver, second by Jared Soto. All were in favor except for Joseph Butrie. Motion passed; 6 yes, 1 no.**

- Parcel 122A2-24-D9, 115 E. Snyder Ave. sold from Wilfredo Ivan Vila Estate to Sher Kahn for \$846.00

**A Motion to approve the Sale was made by Irma Leibensperger, second by Bob Silver. All were in favor except for Joseph Butrie. Motion passed; 6 yes, 1 no.**

**Chapter 94 Waste Load Report** – A letter from R. Michael Tirpak of Carbon Engineering, CLSH Sewer Authority Engineer, asking for completion of the annual Chapter 94 Waste load Management Report for 2018. The Report is due March 8, 2019.

**Bob Silver made a Motion to have the secretary confirm with Carbon Engineering that at its recent meeting with the three municipalities on January 17, 2019, regarding the Act 537 Plan for sewer separation, that Carbon Engineering offered to perform the Chapter 94 WasteLoad Management Report for each of the three municipalities. Mr. Silver added to the motion that if that is not the case, that the WasteLoad Management Report be completed by Carbon Engineering for Lansford Borough. The Motion was second by Irma Leibensperger. All were in favor, motion passed.**

**Police Pension Fourth Quarter 2018 Report** cover letter; UNIVEST has changed its name to Girard, TCG Investment Advisory. The entire report is on file.

**PA Dept. of Conservation and Natural Resources - DCNR** – Announcing Recreation and Conservation Grant application submittal between January 22 and April 10, 2019. Mr. Soto asked that Recreation Grant project ideas be submitted at the next meeting.

**Correspondence received but not distributed to borough council** to conserve paper, copy available on request:

- Tamaqua Transfer 2018 Annual Recycling tonnage report.
- Lowe's Home Improvement 7% savings discount cards for borough purchases through the COSTARS Program.
- P.A.W.S. of Lansford – Mission Statement, Trap-Neuter-Return Ordinances and Policies in the U.S.
- Portnoff – Regarding the Panther Valley School District vs. Loretta Solt property at 208 W. Bertsch Street; Sheriff Sale set for March 8, 2019 11 a.m. at the CC Sheriff's office. School District alleges the property should not be sold free and clear of all claims, liens, charges and should be reassessed.
- Auditor General's Audit of 2017 MS-965 Report; Liquid Fuels Account.
- Pa Liquor Control Board – License application transfer application for Cha's Gourmet Restaurant, 634 E. Patterson Street (formerly Kelly's); no action required at this time
- MRM Property & Liability Trust – invitation to the annual meeting on April 4, 2019 at Seven Springs Mt. Resort, 5:00 p.m.
- Verbal invitation to the Open House for the newly constructed St. Luke's Medical Center on March 13, 2019, 5:00 p.m. to 6:30 p.m. at 100 W. Patterson Street.

**Committee Reports - meetings were held February 6, 2019:**

President Soto appointed Councilman Bruce Markovich to replace John Turcmanovich on the Municipal Administration Committee and to replace Jared Soto on the Public Works Committee.

**Parks & Recreation** – No written report. Joseph Butrie spoke about repairing the walkway at Kennedy Park and resurfacing the basketball court. Jared Soto said that Silberline offered to perform a public service project for the borough and a project to spread mulch at the park is being considered. The Friends of Lansford Pool held a meeting February 11, 2019 with local officials to get feedback about projects to raise money and other assistance endeavors.

**Public Works** – The meeting report was submitted and read by Bob Silver. The duties of the public works department was discussed as well as snow plowing issues. There was discussion about repairing the borough street sweeper or using the Carbon County COG sweeper.

**Bob Silver made a motion to move forward with plans to sell or auction the public work's 1997 Ford Crown Victoria (the blue "powderpuff"), originally an unmarked police car. The borough of Lansford makes no representations regarding any warranties or conditions of the vehicle and the vehicle will be sold as is. It will not pass inspection. The motion was second by Joseph Butrie. All were in favor, motion passed.**

**Municipal Administration** – The meeting report was submitted and read by Bob Silver. There was discussion about water authority compensation and disability pension payments to former borough employees.

**Ordinance, Zoning & Community Development** – No written report. John Turcmanovich said discussion was about how to proceed with finding a zoning officer, code enforcement officer and U.C.C. official. One application for zoning officer and code enforcement officer was received from James Dean. The company Barry Isett is willing to meet to discuss serving as U.C.C. official.

**Councilman John Turcmanovich offered to contact Lehigh Anthracite Coal Co. and Pa. Department of Environmental Protection regarding the mine blasting complaints and made a Motion for council to allow him to do so. The Motion was second by Joseph Butrie. All were in favor, motion passed.**

**Public Safety** – No written report. There was discussion about the lack of sidewalks along the north side of the 400 block of W. Bertsch Street along the stadium parking area.

### **Municipal Report:**

**Mayors Report** – Mayor Romankow reported \$1,987.16 received in January. He urged anyone interested in running for borough council or mayor to attend the meetings.

**Police Report** – The January police report showed 406 calls, 18 criminal arrests, 26 traffic citations, 7 non-traffic citations, 14 parking/ordinance tickets, and 1 quality of life ticket.

**Fire Department** – The American Fire Co. No. 1 responded to 20 calls in January, 13 in Lansford, 3 in Summit Hill, 3 in Coaldale and 1 in Nesquehoning.

**Ambulance** – The Lehighon Ambulance responded to 55 incidents in Lansford during January. The average response time from the time of dispatch to the time at scene was 8.4 minutes.

**Code Enforcement** – In the January Code/Zoning report Zoning Officer Tracey Herman reported nine renovations and two zoning permits issued. Three rental inspections performed, one re-inspection, five property maintenance complaints were investigated and two files were closed. Tracy Herman included a letter from the Lansford Zoning Hearing Board regarding the illegal canopy at 25 W. Ridge Street and letter from Attorney Velitsky requesting a 30 day extension to provide a fully executed Easement Agreement.

**Mayor Romankow left the meeting at approx. 7:45 p.m.**

**CC Council of Governments (COG)** – Jared Soto explained the COG's efforts to have a county sanitation contract in place by late 2019 or 2020.

**CC Tax Collection Committee** – The next quarterly meeting is scheduled for 10:00 a.m. February 20, 2019 at the Lehighon Area School District administration building. The term of appointed representative Jill Seigendall has expired. She volunteered to serve another year on the committee. **A Motion was made by Joseph Butrie to reappoint Jill Seigendall to the CC Tax Collection Committee. The Motion was second by John Turcmanovich. All were in favor except for Marie Ondrus who was opposed. Motion passed, 6 yes, 1 no.**

**Tax Collector's Report** – Real Estate Taxes deposited in January, as prior year taxes, totaled \$45,532.69. The total uncollectable borough taxes for 2018 is \$248,491.82.

**Treasurer's Report** – Bills to be approved total \$17,296.77; Breakdown: General Fund \$9,453.83, Sanitation \$10.00, Hi-Way Liquid Fuels \$7,832.94. The January bill for Lehigh Valley Inspection Service (LVIS) was received this afternoon \$5,320.00 and does not appear on the bills to be paid. LVIS still owes the borough U.C.C. permit fees (\$25.00 per project) for permits issued since July 2018. The Treasurer recommends holding payment to LVIS until the funds are received.

**A Motion was made by Irma Leibensperger to approve the bills totaling \$17,296.77 and to pay the LVIS bill \$5,320.00 after receiving the borough U.C.C. permit fees. The Motion was second by Marie Ondrus. All were in favor, motion passed.**

Monthly checking account activity was included in the report as well as account balances and projection to March. The following reports were submitted in January:

- The Recycling Grant information was submitted to David Bodnar, C.C. Planning Office, and the state recycling report was submitted to PA DEP.
- The Liquid Fuels 2018 MS-965 was submitted to PennDOT.
- The 4<sup>th</sup> quarter 2018 Unemployment Compensation Report was submitted to Pa. Municipal Authorities Association.
- The List of Borough Officials was included in tonight's packet for each councilperson.
- The Municipal Tax Information and the Municipal Report of Elected and Appointed Officials was submitted to DCED.
- The Municipal Pension and Fire Relief Report AG-385 was submitted to the Pa Dept. of Auditor General

Auditor Brian Kelly C.P.A. & Associates, LLC, is planning to start the annual audit of 2018 funds on February 18, 2019.

End of month account balances:

End of Month Balances 2019		2018	2019
No.	Account Title	End of Dec	Jan
7673	General Acct	\$194,655.03	\$217,574.75
7780	Escrow for 20 E Kline Ave	\$2,180.11	\$2,180.11
7772	Escrow for 22 E Kline Ave	\$3,000.00	\$3,000.00
4529	Escrow for 401-405 E Abbott St	\$7,333.33	\$7,333.33
7681	Sanitation Fund	\$108,035.12	\$149,371.25
0283	Sani-investors' Money Mkt Acct	\$51,686.65	\$51,695.43
7730	Sanitation Fund Money Mkt Acct	\$12,149.38	\$12,150.41
7714	Sewage Transmission	\$58,814.37	\$78,548.06
1198	Sewer Transmission(reserve acct)	\$164,652.51	\$164,680.48
5402	Sewer Loan Proceeds Acct(res acct)	\$152,812.28	\$152,820.07
1277	Sewer Transm. CD/Aug-12 mo.	\$50,376.80	\$50,472.21
7722	Local Service Tax	\$27,927.67	\$28,252.69
7764	Street Lights	\$18,632.95	\$15,525.77
7748	Fire	\$36,266.93	\$35,969.80
7706	Treasurers Special HI Way	\$61,235.97	\$60,096.76
7699	Lansford Pool Account	\$41,363.59	\$41,367.10
7756	Recreation	\$64,058.35	\$64,467.40
		<b>\$1,055,181.04</b>	<b>\$1,135,505.62</b>
<b>Loans</b>	<b>LOANS Paid from Fund</b>	<b>Est Balance</b>	<b>Est Balance</b>

TAN	3.60% for 1 yr.	100,000.00	100,000.00
Sewer Separation	\$18,689.23 per mo.	931,260.91	915,909.54
MEM	\$14,130 bi annual May & Nov	130,384.11	130,384.11
Police Expedition	\$13,204.09 per yr. '2018,19,20	13,204.09	13,204.09
Police RAM	\$9,685.23 per yr. 2019-23	42,073.00	42,073.00
		<b>1,216,922.11</b>	<b>1,201,570.74</b>

**Solicitor's Report** – Attorney Greek explained that Mr. Hiles filed a Notice of Appeal to PA Superior Court. The following items were received in January from Attorney Greek:

- Lien satisfaction \$442.65 for John Davidovich was filed at the C.C. Prothonotary's office.
- Michael Greek Letter dated 1/3/2019– Regarding the Order of Court (attached to the letter) entered in the case of Jesse Hiles vs. Borough of Lansford; the post-verdict motion (original verdict June 1, 2018) by Jesse Hiles was denied on 12/19/2018. He has 30 days to appeal to the Superior Court.
- Michael Greek Letter dated 2/1/2019 – Notice of Appeal filed on behalf of Jesse Hiles. Both the borough solicitor and Mr. Hiles solicitor, Robert Yurchak, must each file a brief with the Superior Court, court appearance will most likely be scheduled in Philadelphia.
- Michael Greek Letter dated 2/5/19 – Copy of Order of Court regarding Hiles vs Borough of Lansford

**Unfinished Business:**

**1. Resolution 2019-01** Salary Resolution – to approve .50 raise for the secretary treasurer and assistant secretary treasurer as reflected in the 2019 Budget.

**A Motion was made by Bruce Markovich to approve Resolution 2019-01, the Salary Schedule for nonunion employees. The Motion was second by Jared Soto. On roll call vote: Bruce Markovich, yes; John Turcmanovich, yes; Jared Soto, yes; Bob Silver, no; Marie Ondrus, no; Irma Leibensperger, no. Resulting in a tie vote: 3 yes, 3 no.**

**Councilman Joseph Butrie abstained from voting because his wife is the assistant secretary treasurer. Mayor Romankow was absent at the time of the vote.**

**2. Resolution 2019-02** Borough Permit and Fee Schedule. No action taken. Jared Soto asked for recommendations for changes at the next meeting. Bob Silver asked for costs of each Zoning Hearings held last year. The current fee for a zoning hearing is \$650.00.

**At approximately 8:00 p.m. Councilman Joseph Butrie left the meeting.**

**3. Resolution 2019-03** The Anthracite 250 Resolution was read by Jared Soto. It recognizes the borough as a showcase community in commemoration of the 250<sup>th</sup> Anniversary of the Discovery of Anthracite Coal in Pennsylvania.

**A motion was made by Bob Silver to pass Resolution 2019-03 – The Anthracite 250 Resolution. The motion was second by John Turcmanovich. All were in favor, motion passed.**

**4. 2019 Appointments to Vacant Board Seats:** One letter of interest from Rose Mary Cannon was received for the vacant seat on the Park and Recreation Commission.

**5. Park and Recreation Commission** (5 yr. term) – 1 vacant seat to be filled since 2017.

**A Motion was made by John Turcmanovich to appoint Rose Mary Cannon to the Park and Recreation Commission. The Motion was second by Bob Silver. All were in favor, Motion passed.**

6. **Zoning Hearing Board** (3 yr. term) – 1 vacant seat (due to the expired term of Robert Gaughan who does not want to be reappointed) and 1 alternate seat to be filled. No appointment was made.
7. **Vacancy Board** (1 yr. term) – This seat has been unoccupied for years – it is needed should an elected official's seat become vacant – 1 vacant seat. No letters of interest were received for this position. No appointment made.
8. **Police Pension Board** – 1 vacant seat, (vacancy occurred with the resignation of Martin Ditsky at the end of 2017.) It is unclear what qualifications are needed for the appointment. No appointment made.
9. **Zoning, Code Enforcement and UCC Vacancies** – Three positions were advertised due to the resignation of LVIS effective February 4, 2019: Zoning Officer, Code Enforcement Officer and Unified Construction Code Official, to work as outside contractors for the borough. As stated previously one application was received for Zoning and Code Enforcement.

**A Motion was made by Bruce Markovich to advertise online, at free internet employment websites, for outside contractors to be appointed as Zoning Officer, Code Enforcement Officer and UCC Official, The Motion was second by John Turcmanovich. All were in favor, Motion passed.**

Councilman Silver volunteered to serve as the Code Enforcement Officer until the position is filled.

**A Motion was made by Irma Leibensperger to appoint Councilman Bob Silver as a volunteer Code Enforcement Officer. The Motion was second by Marie Ondrus. On roll call vote: Bruce Markovich, no; John Turcmanovich, no; Jared Soto, no; Bob Silver, yes; Marie Ondrus, yes; Irma Leibensperger, yes. Councilman Joseph Butrie and Mayor Romankow were not present at the time of the vote. Resulting in a tie vote: 3 yes, 3 no.**

Attorney Greek advised council to hold a special meeting for the Mayor to break the tie votes and to review the procedures for the special tie breaking meeting.

10. **Code Enforcement Software** – Quotes for software to date: Dude Solutions: \$17,124.00; CitizenServe: IWorq, \$4,600.00. Discussion was put on hold until the code vacancies are filled.
11. **Recodification of Borough Ordinances** – Everyone voicing their opinion agreed that recodification needs to be done, it was last done in 1972. Jared Soto met with representatives of the companies and recommended going with General Code at a cost of \$11,987.00. Estimates Obtained: General Code \$11,987.00; Municode \$9,250.00; American Legal \$10,000.00.

**A Motion was made by John Turcmanovich to proceed with recodification of borough ordinances to be performed by General Code for \$11,987.00. The Motion was second by Jared Soto. On roll call vote, all were in favor, Motion passed, 6 yes, 0 no.**

12. **Parking Meters** – Jared Soto recommended changing the angle parking spaces on the south side of the unit blocks of East and West Ridge Street to parallel parking spaces. He had a diagram of the plan. It would reduce the number of parking spaces and meters. To be discussed at the next meeting.

### New Business:

1. **Sewage Facilities Act 537 Plan** – Jared Soto gave an update of meeting with the CLSH Sewer Authority, Coaldale and Summit Hill Boroughs on January 17, 2019. Carbon Engineering is asking to review Lansford Borough files for flow study information. Jared Soto explained that DEP will require replacement of sewer lines and drains between the boroughs. There is currently a moratorium on new sewer hookups in Lansford Borough and currently the borough is not monitoring the flow.

2. **Tamaqua Transfer Garbage & Recycling** contract expires 4/9/19. The current cost, since 2012, is \$25,335.84/month or \$304,030.00 per year.  
**Bob Silver made a Motion to advertise for Solid Waste and Recycling Service unless we get a commitment from Larry Wittig of Tamaqua Transfer to extend the current Solid Waste and Recycling Contract for another year. The motion was second by Jared Soto. All were in favor, motion passed.**
3. **Street Material and Antiskid Contracts** expire 4/17/19.  
**Bob Silver made a Motion to advertise for Street Materials and Antiskid with tonnage as needed by the public works department. The Motion was second by John Turcmanovich. All were in favor, Motion passed.**
4. **Rarick Garage Contract** - The contract for the Rarick Garage (currently used as the borough garage) expires April 30, 2019. Bob Silver will contact Tyrone Rarick about renewal of the contract.
5. **PA Senate Resolution 6** – Regarding fire company volunteerism. Jared Soto met with Fire Chief Greco about the shortage of fire company volunteers. The fire company plans to advertise the need for volunteers, hold career day presentations, junior fire fighter training and online training. Jared Soto asked for a motion to make a \$8,000.00 donation to the American Fire Co. No. 1 using funds from the LST Fund \$4,000.00 and Fire Fund \$4,000.00.  
**A Motion was made by Irma Leibensperger to make a \$8,000.00 donation to the American Fire Co. No. 1 using \$4,000.00 from the LST Fund and \$4,000.00 from the Fire Fund. The Motion was second by Jared Soto. All were in favor, Motion passed.**
6. **USDA Loans** – Jared spoke to Tanya Sinclair from the U.S. Dept of Agriculture about projects that can be funded.
7. **PA Historic Preservation** – More information is needed.
8. **Borough Office Computer** – Jared provided an estimate to replace one office computer and expects to get more information.

**Councilman Turcmanovich made a Motion to hire Kyle Sabulsky as a part time police officer at the current rate. The Motion was second by Jared Soto. All were in favor, Motion passed.**

**Councilman Silver made a Motion to hire William Scarnicky as a part time CDL driver at the current rate. The Motion was second by Jared Soto. All were in favor, Motion passed.**

A Motion to adjourn the meeting was made by Bob Silver, second by Irma Leibensperger, and everyone disbursed.

Respectfully Submitted,

*Jill Seigendall*

Secretary Treasurer