

LANSFORD BOROUGH COUNCIL

Regular Monthly Meeting

May 8, 2019 6:00 p.m.

1. **Call to Order** by President Jared Soto at 6:00 p.m.; Pledge of Allegiance recited and roll call taken by Secretary Treasurer Jill Seigendall:

Pres. Jared Soto – Present

V. Pres. Irma Leibensperger – Present

Bob Silver- Present

Marie Ondrus – Present

Bruce Markovich – Present

William Chuma – Present

Pres. Pro Temp John Turcmanovich – Present

Mayor James Romankow – Absent

Solicitor Michael Greek – Arrived at 6:30 p.m. after Executive Session

2. **Executive Session** - 6:05 p.m. to 6:30 p.m. for purchase of property for a borough garage, possibly a parcel on Dock Street from the Lansford Coaldale Water Authority (survey needed), and administration personnel matters.

A Motion was made by Irma Leibensperger to have the borough designate St. Michael's Roman Catholic Church; a.k.a St. Katherine Drexel Roman Catholic Church, 213 E. Abbott Street, a historic structure as of January 1, 2019. The Motion was second by Marie Ondrus.

Bruce Markovich explained that only the property owner can seek historical structure designation. He suggested passing a Resolution. Attorney Greek explained that a Resolution may be written if he is given enough specific information for the wording. Attorney Greek explained details of the Historic District Preservation Program as it is in Tamaqua; properties in that district are required to go through special zoning restrictions.

Public Courtesy (please stand, state name & address, and keep remarks to 3 minutes):

Joseph Butrie, 443 E. Ridge Street, asked whether the assistant secretary treasurer would be paid if she attended council meetings (to learn how to take meeting minutes) and he asked that pot holes be filled in the 200 block of E. Kline Avenue.

The following citizens spoke about preserving St. Katherine Drexel R.C. Church:

Rita Klekamp, 228 W. Abbott Street, asked council and the community to form an action plan to preserve the church as a historic structure. The community group recently lost its appeal (after three years) to the Vatican to reopen the parish church. The group is concerned the church will be demolished.

Michelle Bartek, 333 E. Abbott Street, spoke in favor of preserving the church, possibly as a tourist attraction. She asked that a special meeting of council be held to address this issue.

John Zonca, 30 E. Bertsch Street, wants the borough to take responsibility for the Vatican's decision.

Joseph Mongi, 627 E. Patterson Street, did not support preservation of the church and said the church isn't a church anymore because all it cared about was money.

Tim Dunstan, 630 E. Patterson Street, questioned why council was unaware of the church situation and why council was not planning to save the church. He felt that council should have been involved since the church closed three years ago.

Louise Dunstan, 210 E. Patterson Street, spoke about the posting of Violation Notices by Code Enforcement (LVIS) regarding the removal of scaffolding. (By Ordinance violations must be posted on the church). She asked council to act on preserving the church, not for money, but for support to preserve its beauty and historic value.

Jeanne Hill, 327 E. Abbott Street, suggested the church be a tourist attraction for the town.

Mary Soto, 335 E. Patterson Street, spoke about the Farmer's Market as part of Lansford Alive "Fridays in Lansford" Promotion.

Rose Mary Cannon, 244 W. Ridge Street, was recently appointed to the borough Park and Recreation Board which hasn't met in recent years. She said the pool area is being ignored. She also recommended the Farmer's Market be kept at the intersection of Tunnel and Ridge Streets instead of moving it to Coal and W. Ridge Streets.

Michelle Bartek, 333 E. Abbott Street, is concerned about the lack of property maintenance enforcement and suggested the borough utilize free labor from community service workers and Carbon County Workforce labor to help the public works department.

Joseph Mongi, 627 E. Patterson Street, had complaints about water shutoff procedures for delinquent sewage transmission accounts. He said the useless office staff was rude, ignorant, and asked they be fired. He is the tenant of a rental property and said he did not receive notification of water shut off in a timely manner. He asked for reimbursement for damage caused to his stained glass door due to the Water Shutoff Notice being taped to it. He also complained about the dilapidated condition of a neighboring property.

3. Approval of Meeting Minutes:

- April 10, 2019 Regular meeting

A Motion was made by Bob Silver to approve the April 10, 2019 meeting minutes as written. The Motion was second by Irma Leibensperger. All approved, Motion passed.

- April 24, 2019 Special meeting

A Motion was made by John Turcmanovich to approve the April 24, 2019 special meeting minutes as written. The Motion was second by Jared Soto. All approved, Motion passed.

4. Correspondence:

- **General Code** – Letter with procedures for the Codification of Borough Ordinances project
- **Music in the Park Special Event** – Lansford Alive request to hold music entertainment 6-8 PM Sundays - June 2, 2019 through August 25, 2019 at the gazebo in Kennedy Park (insurance provided).

A Motion was made by John Turcmanovich to approve the Music in the Park special events at Kennedy Park. The Motion was second by Irma Leibensperger. All were in favor, Motion passed.

5. Correspondence not enclosed to save paper- copy available upon request

- PA Department of Community & Economic Development – Regarding the 2003 HOME Program** – 1 resident file "Sabol" was discovered to be lost at 2017 Audit of the 2003 HOME program; (assumed it happened when records were moved from the previous Borough Offices at 26 E. Patterson Street to 1 W. Ridge Street in January 2012) DCED states no additional follow up is needed for this situation.
- Brian Kelly & Associates, LLC** – 2018 Municipal Annual Audit & Financial Report
- Lehigh Asphalt** - completed street material bid documents
- IWORQ's** – Code Enforcement program - initial introduction was previewed by office staff
- General Code** - Codification of Ordinances – Code Project guidelines are being followed
- Carbon County Commissioner Billy O'Gurek** - Invitation to PA Governor Tom Wolf "Restore Pennsylvania" Rally and lobby day May 15, 2019 at the Capitol to fight blight.
- Girard Pension Services** – Police Pension plan Quarterly pension report for Jan-March 2019
- Beyer-Barber Co.** - 2018 GASB 40 – Yearly financial statement of the Police Pension Plan

- i. **Lansford Fireman's Relief Compliance Audit** January 1, 2017 through December 31, 2018
 - j. **C.C Council of Governments (COG)** – April agenda, March minutes, sweeper rental forms & lease
- 6. Committee Reports** - from committee meetings held May 1, 2019 :
- Before committee reports were reviewed, President Jared Soto assigned William Chuma to Park & Recreation and Public Works committees (to replace Joseph Butrie).
- Parks & Recreation** – No written report
- Public Works** – Written report submitted by Bob Silver. A list of the following proposed street paving projects was enclosed. Bob will meet with John Davis (PADOT) for street project estimates and approval:
- Highest Priority:** 300 E. Bertsch Street, 200 E. Ridge Street (2 lanes), 300 W. Ridge Street – Ridge & Cortright, 500 E. Ridge Street, 700 & 800 E. Bertsch Street (milling & rolling)
- Other areas:** 400,500,600 E. Front Street, 300 E. Ridge Street, 300 W. Ridge Street, Cortright Street (Salla's), Klock's Hill, Powell-Patterson to Front Street, Little League.
- Council person Marie Ondrus asked whether she could volunteer (Example: raking, sweeping, etc.) to help at borough parks. Attorney Greek explained that any volunteer work by elected officials needs to be cleared by the union contract and employees affected so as not to result in a grievance by the borough workers.
- Municipal Administration** – Written report submitted by Bob Silver
- Zoning & Ordinance** – Written report submitted by Jared Soto
- Public Safety** – No written report; John Turcmanovich said the Civil Service Exam for full time officers will be held May 18th beginning 9:00 a.m. at borough hall for the written & oral exam and at the Panther Valley Middle School for the physical exam.
- 7. Municipal Reports:**
- Mayors Report** – April report shows \$3,417.36 collected in April; Year to date: \$9,837.67
- The Mayor submitted a Proclamation (read by Jared Soto in the mayor's absence) recognizing National Police week May 12-18, 2019 in Lansford.
- A Motion was made by Bruce Markovich to salute the services of the Lansford Police Department by approving the Proclamation for National Police week May 12-18, 2019. The Motion was second by Jared Soto. All were in favor, Motion passed.**
- Police Report** – During the month of April the police responded to 383 calls, made 14 arrests, 11 traffic citations, 12 non traffic citations, 26 parking/ordinance tickets and 4 Quality of Life tickets.
- Fire Department** – Am. Fire Co. No. 1 responded to 15 calls; 10 in Lansford, 3 in Summit Hill, 1 in Coaldale and 1 in Nesquehoning.
- Ambulance** – The Lehighon Ambulance responded to 58 incidents in April with an average response time of 9.51 minutes from the time of dispatch to the arrival on scene.
- Code Enforcement** – No report
- Carbon County Council of Governments (COG)** – Jared attended the meeting about promoting economic and recreational activity; D & L Trail.
- Tax Collector's Report** - \$146,412.95 collected in April; Total collected in 2019: \$237,377.88
- Treasurer's Report** –Total bills to be approved \$ 39,238.67. Breakdown: General Fund \$ 5,255.50; Park & Recreation \$ 234.33; High Way Liquid Fuels \$2,520.56; Fire Tax \$738.00; Street Light \$4,992.94; Sanitation \$25,497.34. Council received the monthly checking account activity for all accounts, budget vs. actual and monthly projection. Receipts include a refund of \$11,503.03 (dividend) from MRM Property and Liability Trust based on 2013-2017 self-insured retention program; also receipt of \$86,446.39 from PA Municipal Health Insurance Cooperative, 2018 surplus distribution. Twenty eight properties had water shut-off due to nonpayment of 2018 Sewer Transmission Fee. Eleven are still off.
- A Motion was made by Bob Silver to approve the bills to be paid. The Motion was second by Jared Soto. All were in favor, Motion passed.**

End of Month Balances 2019			
No.	Account Title	March	April
7673	General Acct	\$124,131.22	\$212,237.73
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	\$120,067.57	\$158,742.94
0283	Sani-investor's Money Mkt Acct	\$51,712.14	\$51,720.64
7730	Sanitation Fund Money Mkt Acct	\$12,152.31	\$12,153.38
7714	Sewage Transmission	\$161,020.95	\$178,888.98
1198	Sewer Transmission(reserve acct)	\$164,733.73	\$164,760.81
5402	Sewer Loan Proceeds Acct(res acct)	\$152,834.89	\$152,842.68
1277	Sewer Transm. CD/Aug-12 mo.	\$50,654.31	\$50,750.25
7722	Local Service Tax	\$26,396.61	\$26,588.48
7764	Street Lights	\$13,417.32	\$12,203.56
7748	Fire	\$27,593.50	\$29,971.66
7706	Treasurers Special Hi-Way	\$168,976.00	\$162,314.88
7699	Lansford Pool Account	\$41,373.56	\$41,377.19
7756	Recreation	\$65,111.26	\$66,148.95
		\$1,192,688.81	\$1,333,215.57
LOANS	Paid from Fund	Est Balance	Est Balance
	Tax Anticipation Note	100,000.00	100,000.00
	Tunnel St/Storm Separation	885,060.98	869,548.69
	MEM Debacle	130,384.11	130,384.11
	2017 Police Expedition-Com Leasing	13,204.09	13,204.09
	2018 Police RAM	42,073.00	42,073.00
		1,170,722.18	1,155,209.89

Solicitor Report – Attorney Greek filed Liens at the courthouse for delinquent sanitation accounts. He explained the Memorandum Opinion (second opinion) Judges Serfass submitted to the Pennsylvania Superior Court in the *Jesse R. Hiles vs. Borough of Lansford* matter.

8. Unfinished Business:

a. Zoning, Code Enforcement, UCC Official appointments:

President Soto asked for a Motion to appoint a Uniform Construction Code Official:

A Motion was made by Bob Silver to appoint Northeast Inspection Consultants of Childs, PA, as Uniform Construction Code and Building Code Official conditional upon an agreement between both parties. The Motion was second by William Chuma, all were in favor except Irma Leibensperger who was opposed. Motion passed, 6 yes, 1 no.

President Soto asked for a Motion to appoint a Zoning Officer or Code Enforcement Officer:

A Motion was made by Irma Leibensperger to appoint Jay Doyle as Zoning Officer, conditional upon an agreement between both parties. The Motion was second by Jared Soto. On roll call vote: Bruce Markovich, no; John Turcmanovich, yes; William Chuma, no;

Jared Soto, yes; Bob Silver, no; Marie Ondrus, no; Irma Leibensperger, yes; Motion failed: 3 yes, 4 no.

A Motion was made by Bob Silver to appoint James Dean as Zoning Officer and Code Enforcement Officer, conditional upon an agreement between both parties. The appointment with one Motion for both positions does not combine the offices by virtue of the vote. The Motion was second by William Chuma. On roll call vote: Bruce Markovich, yes; John Turcmanovich, yes; William Chuma, yes; Jared Soto, no; Bob Silver, yes; Marie Ondrus, yes; Irma Leibensperger, no. Motion passed: 5 yes, 2 no.

b. **Ordinance 2019-01** - Public Displays of Fireworks, previously advertised:

A Motion was made by William Chuma to adopt Ordinance 2019-01 regarding displays of fireworks and issuance of permits for displays of fireworks. The Motion was second by John Turcmanovich. All were in favor, Motion passed.

President Soto opened the floor for public comment on the Ordinance. Mary Soberick pointed out the fines for consumer fireworks “class C” and “display fireworks”. It will be hard for the police to enforce the Ordinance (after audible and visual effects of fireworks combustion but no visual proof of the culprit).

c. **Carbon County FY 2015 CDBG Grant Funds** - \$6,370.00 for rehab of former Elk’s lot. Deadline is July 1, 2019.

d. **Carbon County FY 2019 CDBG Grant Funds** – projects to be submitted for repair of Brimble’s Wall and Dock Street (or Edgemont) Bridge.

e. **LSA Monroe Grant** – \$40,444.00 for Phase II of the Streetscape Grant for replacement of 8 streetlights. Jared spoke with Marg Ryan at DCED; planning to hold off on the project until the next round of funding to obtain more funds for the project.

f. **Munibilling** – whether to accept Credit Cards for payment of borough bills. Topic tabled for next committee meeting.

g. **Resolution 2017-19** Borough Office Fee Schedule. Topic tabled for next committee meeting.

9. New Business (no paperwork enclosed)

a. **Cooperative Drug Enforcement Agreement** with Pa Office of the Attorney General (OAG) & Bureau of Narcotics Investigation (BNI). Attorney Greek reviewed the Agreement. The Officer working under this agreement would work in Lansford and other close locations outside the borough for up to 3 days a week. The borough would pay the officer for that time. Overtime, after 40 hours/week, up to \$1,000/month, would be paid by the OAG if the overtime work is for the OAG. Reports, records of time worked, as well as OAG access for future audits is required of the borough. Any assets (money, vehicles, property) obtained through efforts of the Lansford Officer would go to the borough, distributed upon the principle of equitable sharing of resources and proceeds.

John Turcmanovich made a Motion to approve an Agreement with the Pennsylvania Office of the Attorney General and Bureau of Narcotics Investigation allowing Lansford Officer Jared Bolger’s participation in the Cooperative Drug Enforcement Program. The Motion was second by Jared Soto. On roll call vote: Bruce Markovich, no; John Turcmanovich, yes; William Chuma, no; Jared Soto, yes; Bob Silver, no; Marie Ondrus, no; Irma Leibensperger, no. Motion fails: 2 yes, 5 no.

b. Approval of Foothill Farm’s Market on Friday’s between June 7 to August 30, 2019, 9:00 a.m. to 1:00 p.m.- Probable location will be at the St. Luke’s Medical Center Parking Lot.

A Motion was made by Bob Silver to approve Foothill Farms as the vendor for the Farmer's Market on Fridays in Lansford. The Motion was second by Irma Leibensperger. All were in favor, Motion passed.

- c. A Vendor Application Form was reviewed for future use.
- d. A Sample Resolution to encourage changes to the Right To Know Law was reviewed. It would help provide relief from harassing Right To Know requesters. Municipalities are asked to pass the Resolution and forward it to Pennsylvania State legislators, urging them to amend the Right To Know Law to provide relief from vexatious requesters. No action was taken.
- e. School Bus Stops for 2019-2020. In an effort to make the bus stops safer and eliminate the necessity to cross W. Patterson Street, Route 209.

A Motion was made by William Chuma to move the existing bus stop at the Panther Valley Stadium to the corner of Cortright and W. Bertsch Streets, in the hopes of eliminating the need for students to cross W. Patterson Street and eliminating the need for a crossing guard at that intersection. The Motion was second by Irma Leibensperger. All were in favor, Motion passed.

- f. **Park & Recreation Board and Planning Commission status.** Jared Soto sent letters to the Park & Recreation Board and the Planning Commission asking them to reorganize. He spoke to Park & Rec Board members Gwyn Collevchio and Rose Mary Cannon but no meetings have been scheduled.
- g. **Zoning Hearing Board** - There is still a vacancy on the Zoning Hearing Board. Anyone interested in serving should send a letter of interest to the borough secretary or contact a council member.

10. Adjournment – By Motion of William Chuma at 8:25 p.m. second by Jared Soto and everyone disbursed.

Respectfully Submitted,

Jill Seigendall
Secretary Treasurer