

**Port Carbon Borough Council
General Meeting
June 15, 2021**

COUNCIL MEMBERS

Scott Krater, Vice President, p
Ron Zimmerman, p
Denise Krater p - call in
Treasurer p
James McBreen p
Cathy Manning p
Tiffany Sullivan, p - call in
Mary Jo Ferraro, p - call in

ANCILLARY MEMBERS

Harold Herndon, Mayor, p
William Burke, Solicitor p
Peggy Lubinsky,
Luanne Mengle, Secretary p

The meeting was called to order by President Scott Krater with the Pledge of Allegiance. McBreen/Zimmerman motioned to approve the minutes from May meetings. Motion approved.

Citizens - David Dries, 26 Coal Street, would like to know what can be done about Ateyah and the harassment from them and their workers. Driveways are parked in by their trucks. Dries's family and other neighbors also complained about the harassment.

S. Krater responded with information on a letter sent to Ateyah with all the violations that he has to respond to. S. Krater stated that if it is harassment it is a Police matter. Dries's daughter suggested that Ateyah leases the property behind their property and wants to know how he can do that. Dries's daughter asked what will be done if he doesn't respond by the date. McBreen stated the fines will continue and increase as time goes on. S. Krater stated that if the fines will continue daily which constitutes a new fine which is determined by the Magistrate.

S. Krater stated the easement is a civil matter and harassment is a criminal matter. Burke explained the difference between the two and said that Council can't spend public money on a civil matter.

Lynn Maley stated that after dark they moved a truck moved a truck over her garden. S. Krater stated he is trying to help as much as he is able.

S. Krater stated if they are doing this all the time and every time they do it call 570-628-3692. Dries' daughter stated that when they did call one time when both parties were arguing and her father got loud they took him away in handcuffs until he apologized. Chief Ferraro stated that was not true. Ferraro stated that when an officer asked several times to please stop so that the Officer can defuse the situation, and the person keeps continuing and continuing arguing he was placed in cuffs and placed in the car. Ferraro understands that this situation is frustrating and he continued getting louder that was when he was placed in custody. Ferraro stated that when he was taken into the station Dries apologized to Ferraro. Ferraro did not make him apologize. Ferraro stated Dries was in the wrong and could have been cited but Ferraro did not cite him. Ferraro stated he told everyone there that if they did not listen they would be cited also. Ferraro stated that he and Krater had tried talking to Ateyah and have asked them not to have any contact with the neighbors.

Ferraro stated that he cannot go onto private property for a parking situation. The right of way is a civil matter.

Lee Miller stated that he is afraid to walk down the road.

Dave Steranko, 212 3rd St. - Steranko asked about Ord. 97, outdoor burning, has pictures of 210 Market St. with large fire pit fire, corner of 211 First, Rose Ave. by creek. 215 2nd St. there is a shed with groundhogs and rodents.

Trudy Hennick, 209 Jackson St. - Hennick complained about the fireworks going off since Memorial Day. Hennick asked if it could be enforced since it is not 150 ft. from buildings. S. Krater/Chief Ferraro stated to call non-emergency number and they can be fined.

Marilee McDonough - Agrees with the firework issue. McDonough asked if we can make a Borough ordinance. Burke replied that the State ordinance takes precedence. Chief Ferraro asked that they report when happening.

McDonough also would like something be done about quads coming off the walk bridge. Chief Ferraro stated that if it is someone local they could try to get something done. If it was someone out of town it is harder to handle.

McDonough asked about littering fines and if there are any in Port Carbon. D. Krater/Ferraro stated there is for scattering rubbish. McDonough has seen people walking across the walk bridge and throwing trash in creek.

McDonough reported not everyone stops at the stop sign on Canal St. by the walk bridge.

McDonough asked about the property next to her property. S. Krater reported it is on Sheriff's sale. McDonough reported the property is not being maintained.

McDonough also asked about road work on Rose Ave. and if anything was planned. S. Krater stated they will be going around town looking to see which streets need to be done.

Zimmerman reported 3 properties in town have been awarded for demolition. Zimmerman is working on getting 3 more properties in town on the next list for the sale in order to get demolished.

Trudy Hennick asked if there is an ordinance that requires garbage is put in cans. S. Krater stated there is not a code.

Mike Welsh - Welsh was called to the scene for a shooting. Welsh stated until he came back from the helicopter with the patient Officer Murton had the man in custody. Welsh congratulated Mayor for a great Police force.

Bill Devers - 131 Jackson St. - Proud to be from Port Carbon and appreciate the job Council is doing. Devers sees that some property owners do a good job cleaning up their properties but some do not. McBreen stated there is a complaint form on the website and if someone fills it out and returns to the Borough, McBreen will give to Code officer and Quality of Life officer. Devers feel that property owners need to be held accountable for their properties.

Ashley Richter - Richter asked if rental inspections are going to be done. McBreen stated that he is working on a data base and hoping to re-start that program starting in January 2022.

Zimmerman reported 3 properties in town have been awarded for demolition. Zimmerman is working on getting 3 more properties in town on the next list for the sale in order to get demolished.

Finance - Zimmerman reported the May budget is on track. A few items were over but still good. A grant available for all municipality. Each municipality needs to apply. 90,000 this year and next available. It can be used for water, sewer and storm drain.

Public Works - D. Krater reported the inlet work will begin after July 4th. The pickup and big red both need inspection. Grass cutting is being done. A tree fell down on 4th and Chestnut. Will have to have code check into that property.

Property - Manning reported Laughlen Contracting completed the work on the down spout. Manning reported Plachko may want something done before the lease contract is signed.

Safety - S. Krater reported with the vacancy in the Police Dept. and in accordance with the Inter-municipal agreement with Palo Alto and Mechanicsville, the committee that has to meet is the Safety committee, the Mayor and Council President from Port Carbon, Mayor and Council President from Mechanicsville and from Palo Alto. Burke stated that meeting should be advertised.

Will advertise for applications with a letter of intent and resume for the Police opening. McBreen reported S. Krater, Mayor, Officer Murton, Ben Schuettler, Fire Chief Welsh and himself met for working on the fire burning ordinances. Would like to finalize before submitting to Solicitor.

Recreation - No report.

Zoning - McBreen reported there was a complaint on Coal St. that Siegfried issued a citation. McBreen called and asked the owner of the dumpster to move because it is blocking site.

Lehigh had to re-issue a notice of violation for Park Ave because it was lost in mail. Coal St. property was issued a citation due to exterior issues, property on 3rd St. was issued a citation for porch and soffit issue, weeds and water damage. Property on East Washington St. was cited for failing to comply with 3 previously issued citations. Property on Pike St. received 4 citations and another property received 1 citation. One of those citations is \$590.

Zoning Application for 150 foot cell phone tower has been denied. Also, an application for an ice cream parlor was denied because it is not permitted use in an R-2 district. That person has turned in a Zoning variance. Burke stated he has 30 days to submit for a variance. A complaint at Cherry and Coal Street for a rat issue was received. S. Krater reported our contract with Ehrlich they will come in once a month and hit the inlets.

McBreen reported the minutes are updated on the website. McBreen wants to put more forms on the site for easy access.

Personnel - S. Krater reported there are 2 applicants for Secretary's job given to the committee and another one received in the office.

S. Krater stated we need to make a decision on the insurance tonight that was discussed at last meeting. It was recommended to renew with the same insurance that we presently have with an increase of 3.39% increase. Zimmerman/McBreen motioned to approve. Ferraro abstained. Motion approved.

Zimmerman asked if the personnel committee can get together and make a decision on the clothing allowance.

Sanitation - Ferraro contacted the Prothonatary office and gathered information on liens of properties that applied for exonerations. Ferraro will give to committee to discuss. Central Credit called to see if Council is going to be hiring them for delinquent sanitation. Zimmerman/Ferraro motion to adopt resolution to hire Central Credit and add any changes needed to resolution. Motion approved.

Special - No report.

Treasurer's - Treasurer Lubinsky reported May 1st beginning balance of \$197,863.78, cleared transactions \$110,826.40 for balance of \$308,690.18. Still have uncleaned transactions of \$23,355.89 for a general fund balance of \$288,334.29, less 6/14/21 payroll the balance is \$280,116.22.

Liquid fuel beginning balance \$29,640.92, cleared transactions in May \$60,800.86, total balance for May 31st \$90,441.78. Uncleared transactions of \$359.18 for a final balance of \$90,082.60

Sanitation report - March collection of \$27,485., April collections of \$51,303.25, May-June collections of \$15,625.75 total of \$94,414.00, less amount refunded for overpayment (\$1,630.00). Total cleared collection of \$92,784.00
County check deposited total \$139,286.01

Lubinsky reported the grant that we applied for has run out but there is special money that they have for disaster areas. They are granting us \$17,900. Lubinsky has asked if more grant money comes available can we get more. Lubinsky reported we can take the \$17,900 and hold it for 5 years. Also, take a loan out with USDA for 6 years at a rate of 2.50% for the amount of \$461.00 per month. Lubinsky reported we only have 2 days to let them know if we want to take the \$17,900. Zimmerman/Manning motioned to accept the grant. Motion approved.

Engineer - Report attached and on file.

Fire Chief - Welsh reported 11 Fire calls and 26 EMS. Welsh reported fire hydrant tops are being painted. Burning complaints need to be made to Comm. center. One fire complaint today burning construction property. Welsh reported he can't go on private property. Welsh asked if Burke was able to talk to Diane about the plan for the extension on Fire Dept.

Mayor - Mayor reported July 4th parade line up at bridge for 9:30, parade at 10:00 Coal, Jackson, Washington and Pike. Fireworks at 9:30.

Mayor reported a RTK from Ohio for the Police bargaining agreement.

Mayor reported 3 applications for part time, Dave Martin, Hazleton, recommended from Jim Jones. Elizabeth Rayback, Sheriff's Dept. Sch. County, and Joey Ferraro when finished training in August for part time but is also in for full time. McBreen/Sullivan motioned to hire the 3 as part time on an as needed basis. M. Ferraro abstained. Motion approved.

Solicitor- No report.

Unfinished business - Ferraro would like to have an ordinance for 3 strikes and you are out. This would cover rental property and if Police are called to a residence 3 times they are out. Palo Alto has this same ordinance and it helps with problem residences.

Ferraro reported he and the Attorney General's office raided a property on the 400 block of Market St. where 200 grams of Meth and \$31,000 in cash, multiple weapons was confiscated.

Mayor reported we had another vandalism at Lubinsky playground. Ferraro reported this is happening during the day. Mayor reported it is sad that we had to close the Miller playground last year because of vandalism.

Executive Session - No executive session was held.

Citizens - Complaint on parking on Coal St by 209 when trucks are park at corner and you can't see pulling out there. Ferraro reported that they have been cited for this and signs have been posted.

McBreen/Zimmerman motioned to adjourn the meeting. Motion approved.

Meeting adjourned.

Respectfully submitted,
Luanne Mengle
Borough Secretary