

COUNCIL MEETING MINUTES

LYKENS BOROUGH COUNCIL

MINUTES

Lykens Borough Council held a regularly scheduled monthly meeting Monday, July 15, 2024 at 7:00 p.m. in Council Chambers located at 200 Main Street. Kerry Teter, President of Council presided over the meeting. The Pledge of Allegiance was recited followed by roll call.

MEMBERS PRESENT:

Delton Kreiser	Kerry Teter
Harold Paul	Carole Wertz
Terry Sherman	Spencer Yates

ALSO PRESENT:

Joseph Kerwin, Solicitor
Bonnie Krepich, Citizen
Patricia Barder, Planning Commission & COG
Stephen Bohr, Citizen
Nathan Pental, Manager Public Works
Marty Sowers, Light-Heigel
Jeanette M. Crabb, Secretary

MINUTES:

Upon a motion by Terry Sherman and seconded by Vice Chairman Delton Kreiser the minutes from the June 17, 2024 monthly meeting were approved.

CITIZENS: NA

At this time Stephen Bohr addressed council to appeal his Quality-of-Life violation for grass and weeds.

Mr. Bohr began his appeal with informing council that there are kids diving into the water at the Glen Park. President of Council, Kerry Teter informed Mr. Bohr that the Borough leases the property to Dauphin County Parks & Recreation and he should contact them.

Mr. Bohr presented pictures of the violation ticket that was posted on his front gate. Mr. Bohr said he was not here to dispute that his grass and weeds needed to be cut but rather to address the ticket that was posted on his gate. Mr. Bohr agreed he was duly notified of the violation ticket by mail and his gate was posted. Mr. Bohr asked why the ticket posted on his gate was not complete like the ticket he received in the mail.

COUNCIL MEETING MINUTES

Mr. Bohr said he received the violation ticket during the two-week time period when we were receiving a lot of rain. All of council agreed they cut their grass and weeds during the rain period. Mr. Bohr stated he was actively working on his yard the day the ticket was posted on his fence.

Marty Sowers was present to explain how the process works. Marty explained when a property has grass and weeds that need cut the Borough has authority to issue a Quality-of-Life ticket by posting the property and mailing a ticket to the property owner. The Borough should not worry about the privacy of a property owner and fill out the ticket and post the ticket at the property. Marty further explained it is not about the cost of the ticket but the compliance. A property owner has 10 days to pay the ticket and if they choose to appeal the ticket, they may do so upon paying the ticket that was issued.

Mr. Bohr said he felt in his situation it is about the legality of the ticket issued.

Solicitor Kerwin advised this is about receiving a ticket and the fact that you did receive one in the mail at the same time the property was posted. Solicitor Kerwin advised Mr. Bohr that his situation was no different than being pulled over by a cop doing 60 and you tell the cop you were slowing down. It would not change why you were pulled over and given a ticket.

President of Council, Kerry Teter advised the ticket would not have been issued if the grass and weeds were maintained. Kerry further advised the property is currently in need of maintenance and a second ticket in the amount of \$50.00 will be issued if the grass and weeds are not cut. Mr. Bohr said he can cut the front of his property but is not sure how to maintain the sides of his yard because his neighbor has stuff growing by the fence between the properties.

Councilman Terry Sherman advised that he deals with a similar situation with his neighbor, however he keeps his side cut and maintained.

SECRETARY'S REPORT

The total deposited for the month of June was \$18,458.94.

Upon a motion by Carole Wertz and seconded by Vice Chairman Delton Kreiser the advertising of the 2023 annual audit was approved. There was no finding.

Upon a motion by Terry Sherman and seconded by Carole Wertz, the Secretary's Report was accepted.

EXECUTIVE COMMITTEE REPORT

There was nothing to report this month.

COUNCIL MEETING MINUTES

LYKENS PLANNING COMMISSION & COG REPORT

There was nothing to report this month.

REVITALIZATION REPORT

A written report was submitted by Councilman Terry Sherman.

Upon a motion by Carole Wertz and seconded by Vice Chaiman Delton Kreiser the Revitalization Report was accepted.

LYKENS BOROUGH AUTHORITY REPORT

All members were given the June 12, 2024 monthly meeting minutes.

President of Council, Kerry Teter stated the mandatory water resrtictions remain in place. Kerry advised we need rain and everyone should conserve their water usage.

MAYOR REPORT

In the absence of Mayor Barge President of Council, Kerry Teter reported the following activity during the month of June and beginning of July.

1. Two warnings were issued regarding a parked camper on North Street. The State Police were contacted and a felon was apprehended.
2. There were five (5) citations filed with the District Justice Office for unpaid Quality-of-Life violation tickets.
 - a. Four (4) citations related to grass and weeds.
 - b. One (1) citation was related to littering, scattering rubbish & illegal dumping.

Upon a motion by Vice Chairman Delton Kreiser and seconded by Terry Sherman the Mayor's Report was accepted.

FINANCE COMMITTEE AND BUDGET REPORT

There was nothing to report this month.

PROPERTY AND SUPPLIES REPORT

There was a tree located at 611 Market Street that leaned towards the street with low hanging branches. The property owner was notified a few weeks ago to trim the branches.

COUNCIL MEETING MINUTES

The branches were trimmed, however the recent storm that went through caused the higher branches to fall on the power lines resulting in a power outage. When PPL came to restore the power they trimmed the branches from the power lines. As a result of PPL trimming the branches away from the power lines the tree posed a safety concern due to the weight of the tree leaning towards Market Street. The Borough contacted Rivera's General Services, LLC to look at the tree and they felt the tree needed to be taken down for safety purposes. The Borough agreed to pay the invoice and have the property owner reimburse the Borough.

Dan Beyer the Borough's engineer provided an estimate for council to review in regards to the discussion that took place concerning pedestrian solar powered signals on Main Street by Boyer's. The estimate is in the amount of \$7,510.00 not including engineering fees and installation. Dan also provided an estimate for the Optical Preemption for the traffic light when an emergency vehicle approaches the light. The estimate is in the amount of \$5,595.00 not including installation and cable.

Dan advised there are two (2) grant avenues that could be used for funding through Green Light Go or AR1. Upon a motion by Vice Chairman Delton Kreiser and seconded by Carole Wertz, council would like to proceed with grant funding.

Nathan Pandal reported the following:

1. 611 Market Street will have the stump grinded out tomorrow.
2. The storm pipe and inlet were replaced on South 2nd Street.
3. Nate advised he received the Pa One Calls for the ADA Curb Ramp Improvements.
4. Nate further reported he does not have a start date for the paving throughout the Borough.

Upon a motion by Carole Wertz and seconded by Harold Paul the Property and Supplies Report was accepted.

PARKS AND RECREATION

There was nothing to report this month.

PUBLIC SAFETY REPORTS

Councilman Terry Sherman reported the following:

1. Terry advised there are some low hanging tree branches by 500 North 2nd Street that need to be trimmed back.
2. Terry further advised there were fireworks set off on North 2nd Street that caught the grass on fire. Terry said it maybe time to look into an ordinance to regulate setting off fireworks within the Borough.

COUNCIL MEETING MINUTES

President of Council, Kerry Teter advised that the Borough is waiting on the new homes to be built on the old school lot so the Borough can have the alley and North 2nd Street paved.

Upon a motion by Carole Wertz and seconded by Harold Paul the Public Safety Report was accepted.

INSURANCE AND PENSION REPORTS

There was nothing to report this month.

EMERGENCY MANAGEMENT COORDINATOR'S REPORT

There was nothing to report at this time.

SALARIES AND BILLS

Ordinary and necessary expenditures that have been paid for the month of June is included on the Treasurer's report. Upon a motion by Carole Wertz and seconded by Harold Paul the Treasurer's Reports were accepted with permission to pay the following bills.

1. Robert Brown in the amount of \$1,970.00 for repairs to the wheel loader bucket.
2. Rivera's General Services, LLC in the amount of \$3,000.00 for the tree and stump removal at 611 Market Street. (This will be reimbursed by the property owner)

SOLICITOR'S REPORT

Solicitor Kerwin advised that he had a few examples for council to review regarding camping on public property.

Solicitor Kerwin will look into an ordinance to regulate fireworks.

Upon a motion by Terry Sherman and seconded by Vice Chairman Delton Kreiser the Solicitor's Report was accepted.

At this time an executive session took place from 7:38 p.m. through 7:52 p.m. for legal matters.

Upon a motion by Vice Chairman Delton Kreiser and seconded by Spencer Yates, council denied Stephen Bohr's Quality-of-Life violation appeal. President of Council, Kerry Teter

COUNCIL MEETING MINUTES

advised that council discussed the case and felt that the Borough of Lykens was in the right and therefore the appeal is denied. The \$25.00 ticket fee will not be refunded.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned by a motion by Carole Wertz and seconded by Vice Chairman Delton Kreiser at 7:53 p.m.

Jeanette M. Crabb

Lykens Borough Secretary