

October 22, 2012

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, October 22, 2012. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, Bessie Bauchspies, John Bird, Darryl Arner and Scott Rehrig.

Officials in attendance were: Borough Manager Nicole Beckett, Solicitor James Nanovic, Treasurer Kira Michalik, Borough Secretary Brenda Koons, Mayor Donald Rehrig and Fire Chief Gary Frable. Absent: John Kreitz, Borough Engineer Bruce Steigerwalt.

Pledge of Allegiance

Guest Speakers

Linda Benner, Lady Lionesses – The walk was started because so many members of the Lionesses had cancer. She thanked the fire police, police, borough manager, and office staff who made it a great success once again. She commented on a movie Nodding Hill starring Hugh Grant and Julia Roberts. During the movie Hugh was in a store with a pink shirt on. Ms. Benner told the mayor that the when the first walk took place he not only supported the group but came to the function with a pink shirt on. She felt it only fitting to give him a hat that said “Real Men Wear Pink” even though he is not Hugh Grant by any means.

Patti & Neal Ebbert – Neal loves old buildings and historical events. His father-in-law, Joseph Makita is a talented artist. Neal asked him to sketch a drawing of the police station as it originally was years ago when it was Engine CO. #2. Neal presented it to council and said that it will hang in the foyer of the police station.

Mr. Conarty gave them the original plans for that when the project was started. The fire company now has them in their possession.

Frank Potoczak, President of LDIC – he told council about the 13th Annual Bike Nite being another success for a group of people who have never ran a Bike Nite event before. The net profits after expenses were \$7,649.47. He presented the fire department with a check for \$1,500 to use as they like with the building of a new fire station. He gave the borough a check for \$1,000 for all they do for the event and towards the electric. He also said the Public Works & L&P Departments were treated to lunch on the Castle Grill to say thank you for all the time they put in prior to the event taking place. The police department was given a certificate for \$1,500 to use toward things they need and as they are completed/done a check will be cut to them to pay for some of these things.

The 15th Annual Bike Nite will be coming up. A group of small business folks have approached LDIC about taking over running Bike Nite. He would like to have a few meetings with these people to put together a joint venture between the LDIC and this other group to run this event. This is in the process of being set up.

The bench project was a great success. He thanked Maritza Reinbold for spearheading that project. Next spring will bring some changes. The benches in the band shell area will be done next. We are looking for donations and sponsorship to redo the entire band shell area and hope to have enough for lighting and murals as well. It is not definite but he does have some corporate sponsors that are looking to get involved. It is such an amazing resource that is underutilized so hopefully that gets done next year to hold music and movies, etc. there next year.

Frank went on to say that LDIC will be taking over from the Lehigh Chamber the Christmas in the Park event. Being that it is a great event for the kids. Wal-Mart will be working on that with LDIC and LDIC will be matching what money Wal-Mart gives. There are also some corporate sponsors donating some balls to promote getting kids outside away from video games and computers. He said he would like to see everyone here to come out for that.

LDIC has donated \$2,500 to the borough for security cameras in the park. Frank has been looking into the different options to see what would work best to secure the downtown area. He has met with Chief Ebbert on this also.

The paver project that was started is still looking into new quotes to finish the project. LDIC is looking into going from the monument up to the fountain instead of from the fountain down.

He then thanked Nicole and council for all their help in making these things possible. The community would not be seeing these wonderful changes if not for their cooperation.

Ted Rose, Gravity Renewables-Update on the Hydroelectric Project - This is his 3rd visit in 1 year. Tremendous progress has been made on the project in this time. He acknowledged all the work that Nicole, the solicitor, Brenda and of course council has done to get this project moving forward. Due to all these efforts there is a private funding partner who is putting up the money for this project. Craig Engler will be here tomorrow to meet with the special committee on the project.

The borough has also gotten the \$5 million grant for the project. In addition the FERC issued a Stay of License for this project giving the borough an extra 2 years to move forward with the project keeping the license intact. Had this not happened the project would not be happening. Ted feels the borough is closer than ever to having this project completed. All this work has not cost the borough a penny. Summit Water Group has now about equaled what the borough has put into the project. Their money is what allowed the FERC order to be drafted, which was a lot of legal work to have done. They also helped in the grant filing and have commissioned MWH to do an intake study out at the dam. It has been completed and looks good for the project. Lastly, they have been investing in the public/private documents of the legal structure.

Hearing of Persons Present

Carl Teets who is a member of the Water Authority thanked Council for all they did while the 2 million gallon tank was down. The cooperation was great. He loves the Judge's Stand and can't believe how great it looks.

Approval of Minutes

Regular Scheduled Meeting of April 23, May 21 and June 25, 2012

Councilors Rehrig/Arner made the motion to approve the minutes and all were in favor.

New Business

Motion to approve AARP using the Rec Center from February 1 to April 15, 2013 for the purpose of doing taxes for low to moderate income residents

Councilors Arner/Bauchspies made the motions to approve the event and all were in favor.

Motion to approve the Lehighon Ambulance Association's request for 2013 funding allocation

Nicole said this is more for discussion than a motion. The Ambulance Association had come to the borough requesting funding in the 2013 budget. We did not do this in the past. The mayor thought we should see what other municipalities do. If we are not interested then we will just nix it.

Councilors Rehrig said that we are required by law to provide insurance to them as they are a volunteer group. They are a business and make money doing it.

Councilors Rehrig/Bird made the motions to not approve the request and all were in favor.

Motion to approve the 2011 write-offs

Councilors Rehrig/Arner made the motions to table this until a later date and all were in favor.

Motion to approve request for 2013 Bench Painting Project in Amphitheatre

Nicole said they would like to go with a musical theme and Maritza would be doing all of the painting with assistance from other. This would not be a competition. She would be looking to raise money and have other sponsors.

The question arose about the plaques already up there. Maritza would move these plaques to another bench and maybe do memories/memorial bench/benches for those who have already donated to the benches in the amphitheatre. Sponsorship will be \$30.

Councilors Rehrig/Arner made the motions to approve the project as long as the benches are new and all were in favor.

Motion to approve the 2013 pool flyer for distribution November 24, 2012 at a cost of \$902.10

Councilors Rehrig/Bauchspies made the motions to approve the flyer and all were in favor.

Motion to adopt Ordinance 602-2012 amending errors in Ordinance 260A and 261A

Councilor Rehrig wanted to be sure the amendments pertained to Cypress and 12th Streets and the solicitor said yes the engineer said when they adopted this in the 70's some of the paragraphs were inverted and this is just correcting it.

Councilors Kogut/Rehrig made the motion to adopt and all were in favor.

Motion to approve the Land Development Plans for the Lehighton Fire Station Project

Nicole said the planning commission had recommended conditional approval pending the revisions which have been taken care of as per Bruce's comments. It has also gone through county planning.

Councilor Rehrig asked if council had ever seen it and Nicole said it in down in her office. It is different from the original ones that had gone through. It has been changed. She then asked if they would like to see it. Councilor Rehrig said he would and should table this item until after seeing it.

Council took no action on this item.

Discussion on the creation of a Parks & Recreation Commission

Nicole said this was a request of Tom and herself. We have Pool Pals to assist with the pool. Other municipalities have this sort of board which needs to be created by ordinance and they would assist council, Tom and herself with projects. They could focus on playgrounds, development along with maintenance. It is a suggestion from both her and Tom. She said that board can be comprised of 5 or 7 or 9 members and she provided council with excerpts from borough code.

The solicitor said it is similar to the planning commission and set by the ordinance or resolution you adopt.

Councilor Arner said they had one once before and it was dissolved.

Councilors Bird/Rehrig made the motions to leave this at status quo and all were in favor.

Unfinished Business

Continued discussion on the Vehicle/Pedacycle Ordinance

The solicitor said it came up at the previous meeting in talking about getting rid of a portion of an ordinance. He had looked at a couple of things and sent a letter to Nicole.

Councilor Bird is opposed to having bikes on the sidewalks for safety concerns.

There were 2 sections that were in question and one is §213-81 and yes under the statute it does say you can't ride bikes on the sidewalks in the business district. You can keep that section in although unnecessary and delete the remainder of the paragraph.

Councilor Rehrig thought the reason behind this was because of the trailhead going in along the bypass. So it does not make sense to penalize people riding bikes in the borough or charging a child a dollar to get a license.

The solicitor said the balance of that is the license provision with the exception of the last paragraph pertaining to the disposal of unclaimed bikes and there is a state statute on that.

Chief Ebbert said he wanted to address the bikes they have now. They have been contacted by Kids Peace in Schnecksville. They have a program where the kids take the bikes apart, fix them and then at the end of the program they get to keep them.

Chief Ebbert said he would like to have a silent auction and do that as a secondary option. He knows it won't make much money but he would like it to

benefit the borough and when this was done before some people found their bike and could prove it was theirs and got it back.

Councilors Rehrig/Kogut made the motion to do away with the ordinance completely and all were in favor. The solicitor will do the advertisement to revoke the ordinance.

Continued discussion on the creation of the Hydroelectric Municipal Authority

Nicole said she put information from DCED in the packets from the Municipal Authority's Handbook as far as what our next steps would be in the creation of the authority along with the process.

Councilor Rehrig looked to Councilor Kogut and his knowledge of electric and felt he might be qualified for this. Councilor Rehrig also said he would feel better having smarter people to guide the borough on this authority over the next 50 years.

Official's Reports

Borough Manager

Councilor Rehrig wants council to be informed monthly of the amount of the delinquent list and any payment arrangements made. It used to be in the packets but then it wasn't doable anymore. Nicole will be looking to this.

Councilor Rehrig questioned the flooding that occurred in boro hall. He wants to know if anything has been done to repair the leaks in the building before renovations to repair the flood damage starts.

Nicole said that the amphitheater has been sealed and the last rainfall did not produce any water inside borough hall. He asked if it will be tested further and Nicole said she will see to it.

Councilor Rehrig also wanted to know why some of the cracks are getting sealed but not all of them. President Hunsicker said years ago they sealed all along the curbing so no grass grew up or anything. Today the grass is growing up and it looks terrible and has asked them to do it for a few years now and it's not getting done. Nicole will address it tomorrow

Borough Engineer

Absent

Police Chief

Chief Ebbert said it has been a busy month for them. He thinks his department is doing a bang up job in solving a lot of the crimes that have been occurring. He is getting condemned by the guys since he took over that the crime rate has tripled but he comes back with "he's not on night shift anymore to take care of the problems" but other than that everything is going good.

He has purchased safety bags and glow sticks for safety for the children. Monday, Tuesday and Wednesday of next week the kids can come in and pick these up to use for Trick-or-Treat Night.

Mayor

The mayor said that everyone has a copy of the proclamation recognizing the month of November as Pulmonary Hypertension Awareness month that was presented to them to support their efforts.

The Halloween Parade committee did an excellent job. Trick-or-Treat night is next Wednesday, October 31, 2012. If you want them to stop at your

house please leave your porch light on to let them know you are giving out treats.

Chief Ebbert said that tomorrow night there will be a Drug & Alcohol Program/Bulling Program at the High School Auditorium at 6:30. This will also be a joint meeting with the Crime Watch.

Fire Chief

They took possession of all new radios, portables, pagers, and mobiles. The mobiles have all been installed. They now have to wait for the guy to do his thing and they will be all set.

President of Council

Leaf removal will begin November 1 to November 30, 2012. Councilor Rehrig asked if that could start now due to the large amounts in the gutters and covering storm drains now already. Council agreed to start a week earlier.

Solicitor

Nothing to report

Treasurer

She added 3 additional invoices -the auditors invoice is for \$7,675 and is final payment for the 2011 audit, EarthLink phone bill for \$508.52 and Lehigh Asphalt for the Rails to Trails for \$2,324.68. This is an additional \$10,508.20 to the bills.

She requested a transfer from the L&P Fund for \$150,000 to the General Fund for operating expenses.

Councilors Arner/Kogut made the motions to allow the transfer and all were in favor.

Committee Reports

Finance & Administration – Darryl Chairman, George Co-Chair—

Nothing to report.

Streets, Buildings & Codes – John Kreitz Chairman, Bessie Co-Chair –

Absent

Police, Fire & Safety – Scott Chairman and John Bird Co-Chair – None of the intersection obstacles have been rectified in the past 6 months and now some are starting to fall off the trees. The most classical example is at 7th & Mahoning Streets where ½ the tree has been cut and the other half is still down. Iron & 9th Streets still has bushes sticking out into the sidewalks and if you look down 9th Street, you can't see. Then you have Union & 9th Streets with big trees and 3 lanes of traffic coming up and down the street on a daily basis.

He just can't figure out why we have crossing guards out that are not physically fit to walk out into the intersection. Some areas have no crossing guards in particularly Shull-David. The guard is so engrossed in conversation that she forgets to stop cars. The mayor said that is being looked into by Chief Ebbert. President Hunsicker said that some of the bus drivers have said she does not know what she is doing. Chief Ebbert is compiling a list of violations on the SOP of the crossing guards and she will be getting written warnings for the violations. Proper protocol starts with written warnings.

Light & Power Committee – John Bird Chairman, Scott Co-Chair, commented on what was in Lonny's report.

Sewer Committee – Bessie Chairwoman, Darryl Co-Chairman –Nothing to report.

Public Works & Recreation – George Chairman, John Kreitz Co-Chair – Baer Memorial has a lighting company coming in this Thursday at 10 a.m. to see if lights can go in. You already know about the basketball courts, bocce ball courts and nature/fitness track. To make it a sports complex down there it becomes a congregating area with lights, and access ways. Shut it down at night. He thinks the key is to build the area up because of the potential. We want people to use it. That would show we have had an impact on the community. We will be getting an estimate on the lighting. The mayor said that people are of the impression that this will close the Grove and other areas and he is assuring them that is not so. This enhancement of Baer Memorial will be in addition to what we already have.

Over the next few weeks we will be putting together a program with Pyramid Sports Performance Center. It will be focused on athletic achievement, education, proper use of nutrition and proper use of their body to enhance their athleticism. This will better enable these kids to move forward. His dad would always say you never win the game on Friday night and no one knew what he meant. He meant that winning the game starts long before with academics and nutrition. The game is just the last thing and that is what we have to do with the kids. Steve at Pyramid has some good programs about nutrition and if he can get through to the kids it will be a great thing. It will be open to everyone, not just those in the Lehighon Borough.

George and Tom sat with Pastor House from outside of Normal Square. He wants to partner with us in doing youth programs. He has resources and a facility out there we can use and George said the borough does too. They are going to try to coordinate between the two places and bring something better to the community.

The Mayor said the Crime Watch which broke off of their initial Drug Task Force Program is spearheaded by the school district out there but our police department has been very active in presenting a lot of things out there. Officer Arner did a gang related thing out there and lots of other things. The school is bringing in the educational part.

George liked hearing that and thinks if all these groups work together we can do so much more together rather than working in a vacuum.

Scott said the problem that is the center of most of this is the parents or legal guardians.

Gary Frable said that Steve Ebbert has a recruitment day at school where the fire department comes into his class and it helps. We have gotten many guys through his efforts. George said if there is a way to expand that to have it for more than just a class it would be great.

George said spending all this time money, resources and effort separately doesn't work as well as coordinating our efforts and working together towards the same end goal.

Scott said he would like junior council people sitting at this council table. We had 4 here a year or so ago and now we can't get one. George suggested going in to the history classes and make a pitch. John Bird said if there are going to be junior council people here sitting at this table they are going to be at the far ends of the table. Not in between us so that we have to yell back and forth to each other like we did before. It was ridiculous. John asked if it was going to make them more intelligent by sitting here? He did not think so.

George said on November 2 at 10 a.m. he set up an Economic Business Development Roundtable/Summit with all the businesses in the area. He will have a small survey done up and if they have been a business here for 5-10 years he wants to know what made them choose coming here, the pros/cons of what they are looking at with the area. He thinks if we have this interaction it could open things up. He invited everyone on council to show up if they wish. The meeting will be advertised.

Acceptance of Officials' Reports

Councilors Rehrig/Arner made the motions to accept and all were in favor with no questions or objections.

Approval of Accounts Payable

Councilors Arner/Rehrig made the motions to approve the accounts payable with the treasurer's additions and all were in favor with no questions or objections.

Adjournment

Motion to go in to Executive Session for Personnel Reasons

Councilors Arner/Bird made the motions to go into Executive Session at 9:07 p.m. and all were in favor.

Motion to go back into Public Session

Councilors Rehrig/George made the motions to go back into Regular Session at 9:30 p.m. and all were in favor.

Action on Any Items Necessary as a Result of Executive Session

Councilor Rehrig said he thinks the bids should be in before approving the land development plan for the fire station project. Nicole questioned if the approval of the land development plans had any bearing on the bids as far as getting them recorded. The solicitor said no you could record them the day before you break ground. If council is not happy with the bids when they come in they reject them and go out for bid again.

Motion to Adjourn the Meeting

Councilors Arner/Rehrig made the motions to adjourn at 9:35 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary