

August 26, 2013

The Regular Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, August 26, 2013. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, John Kreitz, Councilor John Bird, Darryl Arner and Scott Rehrig.

Officials in attendance were: Borough Manager Nicole Beckett, Borough Secretary Brenda Koons, Solicitor James Nanovic, Mayor Donald Rehrig, and Officer-in-Charge Joe Lawrence. Absent: Councilor Bessie Bauchspies, Treasurer Kira Michalik, Fire Chief Gary Frable and Borough Engineer Bruce Steigerwalt.

Pledge of Allegiance

2nd CDBG Public Hearing

Judy Borger, Director of Planning & Development of Carbon County, was present to do the 2nd Public Hearing for the Community & Economic Development Block Grant funding for fiscal year 2013. She said that the \$75,450 in project costs, of which \$16,561 was in administrative costs for a total of \$92,011 is what the borough will receive. The borough is still paying repaying the loan for the former Lehighon high school which will be paid off in 2016.

Hearing of Person's Present

Autumn Abelovsky of 501 North 10th Street gave a follow up of the 150th Celebration's proposal. She and Courtney are planning a kick off meeting. She presented a press release, an introductory letter to groups that might be interested in the event and a flyer to put around town to gain interest for council's approval.

The borough manager said there is a link to the borough website, a facebook page and an email address for communications.

Autumn collected about 180 photos to do a slide show at the kick off meeting. She has been asking some of the people who were part of the 100th Celebration to be present and speak at the meeting as well.

Autumn is excited and has lots of ideas for the event and hopes to have a lot of involvement from the community. Council thanked her for getting things together so quickly.

Carl Teets of 51 3rd Avenue said he had talked to Nicole in spring about painting curbs and driveways on Stedman Avenue. There are 12 driveways that come out on the one block and 2 alleys. People park almost on top of the entrance and it's tough to see. Nothing has been done since the street was redone and that was 2 years ago.

Richard Gombert of 251 South 9th Street brought up the poor condition of the streets & alleys back in May and he still hasn't seen anything done. Evidently no one sees this stuff.

Approval of Minutes

Special Meeting of February 22, 2013, Regular Meeting of February 25, 2013, Special Meeting of March 8, 2013 and August 15, 2013

Councilor Rehrig/Arner made the motions to approve the minutes as presented and all were in favor.

New Business

Motion to accept Chase Carpenter's resignation from the Lehighon Sewer Authority and advertise to fill the vacancy

Councilors Rehrig/Arner made the motions to accept the resignation and requested a letter of appreciation be sent and all were in favor with no questions or objections.

Motion to accept John Hanosek's letter of resignation from CCMA effective September 1, 2013 (council needs to appoint a replacement)

Councilors Arner/Rehrig made the motions to accept and requested a letter of appreciation be sent and all were in favor with no questions or objections.

Motion to accept Dr. William Howland's resignation from the Lehighon Water Authority effective immediately

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

Motion to approve 90-day waiver for the Serfass Subdivision

Councilors Kreitz/Rehrig made the motions to approve the waiver and all were in favor with no questions or objections.

Motion to approve 90-day waiver for the AutoZone Subdivision

Councilors Rehrig/Kreitz made the motions to approve the waiver and all were in favor.

Motion to approve change in contract fee with Entech Engineering for the design of the new Light & Power Building

The borough manager said this is based on what the quality of the ground is. We would be approving a change in the contract totaling \$6,447.50 along with approving the new site which is where the old substation is located.

Councilor Rehrig asked what the total of the project will now cost. Nicole said the original budget was for \$380,000.

Councilor Rehrig wanted to table this item and come back to it later. Nicole said this item has been in the budget for the last 5 years.

Discussion/approval of the price proposal for the paving of the Engine Co. #2 Parking Lot in the amount of \$55,144.50 from Popple Construction

Nicole said that this was to be redone when the police department was renovated but knew that the fire station was to be done next so it was put on hold until the completion of the new fire station. The original cost was \$44,294 but we then asked for an additional cost estimate to pave under the portico and that came in at \$10,850 bringing the total cost now to \$55,144.50.

Councilor Rehrig asked if we were still going to ask the adjacent property owner to give us some property along the portico so the vehicle doors could be opened. It was not known how lengthy the process would be to have this done.

Councilors Rehrig/Kreitz made the motions to approve the proposal price of \$55,144.50 and all were in favor with no questions or objections.

Motion to advertise ordinance amending municipal pension plan administered by PMRS

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

Discussion/approval of the purchase of the new police cruiser

Councilor Rehrig wanted Officer Lawrence to check out the cost of having the new cruiser equipped like the state police vehicles are before making a decision on going ahead with this item.

After some discussion council decided to have this item brought back to the September agenda.

Approval of new contract for Lehigh Area School District Security

The borough manager said we currently get reimbursed. This is just the agreement to make it legit. We bill the school district after the end of the football season at an overtime rate. Officer Lawrence said nothing was ever in writing and if it was it is outdated.

Councilors Rehrig/Kreitz made the motions to approve and all were in favor with no questions or objections

Motion to donate \$200 to Halloween Parade Fund (done every year)

Councilors Bird/Arner made the motions to approve the donation and all were in favor with no questions or objections.

Approval for Borough Secretary to attend the Leadership Carbon Welcome reception Breakfast September 4, 2013 (cost to be paid by borough secretary)

Councilors Rehrig/Arner made the motions to approve the borough secretary attending the breakfast and all were in favor with no questions or objections.

Nicole brought up that she has been asked to attend Leadership Carbon this year. She said it is within her contract. It is on the bills to be approved at a cost of \$595.

Councilor Rehrig said he thinks Nicole attending the class should be held off on until we get through some of the other parts of the agenda. It is going to boil down to time.

The borough manager presented a resolution that will ratify all the previous motions that council had made regarding the RACP and grant funding and grant requirements. We are in the process of finalizing the special conditions to be submitted to RACP. This has been approved by RACP to be sent in as a final piece of the puzzle for the fire station project.

Councilors Rehrig/Arner made the motions to adopt Resolution R017-2013 and all were in favor with no questions or objections.

Unfinished Business

Action on the Hydroelectric Project

Councilors Rehrig/Arner made the motions to stop the project completely. Councilor Kogut recused himself from voting and a roll call vote was taken -- 5 to end the project, 1 abstention and 1 councilor absent. Motion carried.

Councilor Kogut suggested drawing up an RFP to have someone else do the project. Councilors Kogut/Rehrig made the motions to have Councilor Kogut put recommendations together pertaining to the hydro project and all were in favor with no questions or objections.

Continued discussion of the Checkered Flag lease

Mr. Boyko was present. Councilor Rehrig said we are trying to beautify the bypass and does not feel the Checkered Flag represents that.

Councilors Rehrig/Bird made the motions to not renew the lease and all were in favor with no questions or objections.

Continued discussion on request from Mildred Nicholson regarding unnamed alley

This is still being researched according to the borough manager. She will bring it back again when there is something to report.

Officials' Reports

Borough Manager

She created an itemized list of things we need to consider for the project. It doesn't need to be looked at now but is bringing it council's attention to make council aware of certain items.

She read a letter from Clark Ritter regarding the Public Works Department and the excellent job they did fixing the gutter in front of his property.

Nicole read the press release for council's approval which listed the street repair list for 2014. The streets being done are: 1. South 7th St. from Mahoning to Iron, 2. Stedman Avenue - between 2nd & 3rd Avenue, 3. North 11th St, 4. North 7th St. from Mahoning to Coal, 5. Cypress Street from 11th St. - 12th Street. We anticipate using Liquid Fuels money for repairs to Gypsy Hill and Bridge Street culverts all repairs are contingent upon available funding resources. Liquid Fuels is the only funding at this time and the funds are tight.

Engineer

Absent

Police

Nothing. Councilor Kogut asked Officer Lawrence if it would be possible to have one or two officers jog/walk around town with him next week around 9:30 p.m. This is when Councilor Kogut does his exercise by running around different areas of town each night. He welcomed any other members of council to go with them. He sees different things going on in different areas and is just curious as to the perspective he has as to what he sees and to what the officers would see.

Mayor

He will be meeting with crossing guards tomorrow to let them know what is expected of them for the coming school year.

He read a letter from Mr. Michael Heery requesting someone to attend their meetings as the borough was not represented. Both Donnie and Grant thought the borough was represented already at the meetings.

Fire Chief

Absent. Nicole said that their annual Strategic Planning Meeting will be held Saturday September 7th at 9 a.m. and council is invited to attend.

President of Council

Nothing

Solicitor

Nothing

Treasurer

Absent. The borough manager said on behalf of the treasurer, she had submitted her final report. She also included the additional fire station bills totaling \$390,746.52 to be approved.

Finance & Administration – Darryl Arner, Chair, George Kogut, Co-Chair – nothing to report.

Streets, Buildings & Codes – John Kreitz, Chair, Bessie Bauchspies, Co-Chair – The Zoning Officer was asked to present the photos in the council packets. Some of the major issues in town are weeds, high grass and the junk yard going on in town. He knows he has made mistakes. He is putting it down to being new to the job and felt it could be enforced by the court but could not. He is now talking to Solicitor Nanovic more on these issues to see that he is doing things the right way. Most of the letters and phone calls are from people saying they know they were in the wrong and have corrected the problem but there are those 10 that sit there that he can't do anything about. Some are sight distance problems and the ordinance says they need to be 15 feet from the cross walk and he has measured a bunch of them and they are 15 feet from the cross walk but are still causing a sight problem. What is he to do?

Councilor Kreitz brought up the garbage problem. Steve said we have to give them 30 days to clean it up but our garbage cycle is 7 days. How does this get resolved?

Councilor Rehrig brought up Act 90 that he heard about at a convention. He wondered if this would give us any strength in dealing with some of these problems.

The solicitor and council discussed various possibilities to the problems and the borough manager suggested maybe following the City of Allentown's published list of blighted properties.

Police, Fire & Safety – Scott Rehrig, Chair and John Bird, Co-Chair – Halloween Parade request – 1 table, 6 chairs, barricades on parade route, possible drop boxes @ \$20 no refunds, port-a-pots donated by borough

Councilor Rehrig said we need to set a rate for these drop boxes so we don't have to address this each time someone requests electric. Nicole said a new fee schedule is being drawn up to cover all the costs for services provided by the borough. It is not completed yet but the drop boxes will be covered in that schedule.

Councilor Rehrig said he feels that everyone that comes to a council meeting needs to enter one door and be checked by a police officer before entering council chambers and to also have an officer on duty. The same with the utility office, it is in need of more security now that the police department is gone. This has been brought up awhile ago and it's now time to do something.

The solicitor said the pat down probably won't work nor locking the doors after 7:30. Certain things don't apply to public buildings. There are ways to do them but not what was brought up tonight.

Councilor Rehrig asked the borough manager to address this issue.

Light & Power Committee – John Bird, Chair, Scott Co-Chair – nothing to report.

Sewer Committee – Bessie Bauchspies, Chair, Darryl Co-Chairman – absent

Public Works & Recreation – George Kogut, Chair, John Kreitz Co-Chair

He said the pool memberships have really increased. He also asked Tom to come up with his dimensions for the possibility of a new rec center.

Councilor Rehrig said we have had issues with the bathrooms at Baers. They were sent a letter and things were ok for a while but now the problem is back. We are living in an age where nothing is free anymore. We need a fee schedule to start charging the people who use our facilities for cleaning up the messes they leave behind. We need to better maintain our properties. If we need cameras then we should get them. We can't keep having our property/equipment destroyed or vandalized.

Acceptance of Officials' Reports

Councilors Arner/Kreitz 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 plus the additional invoices and all were in favor with no questions or objections.

Adjournment

Motion to go in to Executive Session for personnel

Councilors Rehrig/Kreitz made the motions to go in at 9:35 p.m. for personnel.

Motion to go back into Public Session

Councilors Rehrig/Kreitz made the motions to go out of executive session at 10:45 p.m.

Action on Any Items Necessary as a Result of Executive Session

Councilors Rehrig/Bird made the motions to give Nicole, Brenda and Kim \$300 extra a week to do the treasurer's job until a treasurer is hired and all were in favor with no questions or objections

Councilors Rehrig/Kreitz made the motions to approve the change in Entech's contract price of \$6,447 and all were in favor with no questions or objections.

Councilors Rehrig/Bird made the motions to give 30-day notice to terminate contract between Neal Ebbert and the borough and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Kogut/Kreitz made the motions to adjourn at 10:50 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary