

February 25, 2013

The Regular Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, February 25, 2013. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, John Kreitz, Bessie Bauchspies, John Bird and Scott Rehrig.

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

Pledge of Allegiance

1<sup>st</sup> CDBG Public Hearing

Judy Borger, Director of Planning and Development provided a copy of her report to add as part of the meeting minutes.

Hearing of Person's Present

None present.

Approval of Minutes

None were submitted.

New Business

Approval of PennDOT Temporary Easement and Agreement to Settlement Statement

The Borough Manager said these are the draft documents for the Easement for Construction purposes of their directive to pay for the bridge project by the canal. We are looking for authorization to pay for when the final documents come through.

Solicitor Nanovic said this is not an exclusive easement, meaning the borough can use it as well as PennDOT.

Councilors Rehrig/Bird made the motions to approve pending clarification by the solicitor and all were in favor with no questions or objections.

Approval of the Agreement between the Delaware & Lehigh National Heritage Corridor, Inc. and Lehighon Borough for Development of the Lehighon D&L Trailhead

There are 2 grants. The first is in the amount of \$40,000 with the borough matching \$20,000 and the second is \$28,000 with the borough matching \$14,000. This can be a cash match or in-kind services and it has been worked into the budget.

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

Discussion on the replacement of the Police Department server

This item was discussed during executive session. The borough manager said a proposal from Daniel Horsefield was submitted for \$8,423 for the police server.

Chief Ebbert said this went down with nothing to do on their part.

Discussion and support for the Carbon County Recycling Program

The borough manager said we have curbside recycling. For the communities that do not have this option use the blue bins provided by the county. This program may be ending and they are asking for support to keep it going. Although we do not use the blue bins we do use their additional programs like the electronic and tire recycling. They do annual reporting and assist us with 902 and 904 grants, newsletters and the public education which we are required to do by the 904 grant.

Council decided to support the supplementary recycling programs with no outlay of funds.

Ratify the purchase of Christmas Decorations through Rileigh's for an additional \$945.00

The borough manager apologized for her indecisiveness and said that after talking to Brenda and Kira it was decided to switch up the decorations resulting in the additional cost. They are more nostalgic. Mr. Bird said they had beautiful decorations years ago but she is too young.

Nicole said that she does not think like a child but Kira and Brenda do so they helped pick the new decorations.

Councilors Kreitz/Kogut made the motions to ratify the purchase and all were in favor with no questions or objections.

Motion to appoint Paul Mriss to the Police Civil Service Commission

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

Unfinished Business

Petition to ordain "Betty's Alley" and continue proper maintenance

Mr. Frable was present to answer any questions as he was the person who started this petition. The mayor asked if it is a paper alley. No one was sure. Mr. Frable said it was blacktopped around 1998 and plowed for over 40 years and now it stopped because it was not an ordained alley.

The solicitor told Mr. Frable that if this was a street that we have always assumed and accepted it as our alley, then there are some cases that say it is a borough alley. His understanding that this has not always been the case and it has not always been maintained. There have been times when it has not been maintained so this is a private alley. If we all agree that it is a private alley the way for us to take it over is to draw up a certain type of petition signed by all the adjoining property owners. They then present it to council and we then adopt an ordinance to accept this alley.

The borough manager said there has been a lot of research done on this alley but the documentation as to who owns it and why the borough paved it cannot be found. There is a certain amount of liability in plowing an alley that has not been ordained and a few years ago the plowing of these alleys stopped.

Councilors Kreitz/Rehrig made the motion to have the solicitor draw up the papers to ordain Betty's Alley and all were in favor. The borough manager asked if council wanted to call it Betty's Alley and they said yes.

### Recommendations to proceed with the design of the Light & Power Building Addition

The borough manager said that this was tabled at the last meeting. There is \$380,000 budgeted in the 2013 budget for the construction of the addition. We are looking to hire Entech Engineering to complete the design and then to receive additional proposals on the geotechnical report to see if we can get it done cheaper. We are literally to the point where we are renting storage units. This is not for construction, only design to hopefully have this completed over the summer. It will be a pole building so it is relatively simple.

Councilors Rehrig/Kreitz made the motions to have Entech proceed with the design and all were in favor with no questions or objections.

### Discussion on Downtown Parking

Councilor Kogut and Councilor Bird discussed their ideas. Councilor Kogut said he wants to make the lot behind PNC a business parking only lot and the lot on the bypass should be paved and used as an overflow lot and then remove the meters. Councilor Kogut said he would draw up a proposal and have the solicitor look over it and bring it back at the next meeting. After some discussion, Councilor Kogut thought that Councilor Bird's idea needs to be a separate proposal due to the changing of parking around the Lower Park. We need to get moving on this issue to let the business district know we are looking into it and actively doing something. Councilor Bird said that the borough manager said his idea may fall under the Lower Park project.

### Financing of Utility Relocation Project

This item was also tabled at the last meeting. The borough manager had suggested borrowing from the L&P fund and tacking an additional 3 years onto the fire station loan. She had also been contacted by 2 different banks as far as different financing options. One was for 10 years for \$250,000 at 1.99%. The second one was for \$150,000 at 2 1/2% for 10 years. She is waiting on more banking information. We can definitely borrow from ourselves at a lower interest rate if that is what council wishes to do. The total amount would be roughly \$350,000. \$300,000 give or take for the project and materials and \$50,000 in engineering.

Council directed Nicole to come back with more information at the next meeting at which time a decision will be made.

### Continued discussion on the creation of the Hydroelectric Municipal Authority and the future of the Hydroelectric Project

The borough manager suggested holding a special meeting be held March 8<sup>th</sup> at 10:30 that morning. Councilor Kogut said that he would like the borough secretary to send out an email to the businesses stating that the Economic Development meeting will be held as part of the special council meeting. Council agreed to hold the special meeting.

### Officials' Reports

#### Borough Manager

She reported that the safety inspection of the public works garage went well and was very positive.

A tenant at the Annex may be moving out when the lease expires at the end of March.

She had contacted DCNR regarding the C2P2 grant application. She met with Tom and it seems as though the best grant application would be to update the playground equipment at the Grove. C2P2 is a 50/50 program so we would be responsible for 50% of the cost whether it be in-kind or cash. The application is due April 10<sup>th</sup>. She asked if council was interested in this so she does not waste her time filing out the application if they will not support the project. Council told her to complete the application.

She asked for a motion to support the online access to county records request. Councilors Rehrig/Kreitz made the motions and all were in favor with no questions or objections.

Engineer

Absent.

Police

Chief Ebbert reported the odometer for Car #1 has not been working so there has been no mileage reported in the monthly report. All the electrical problems in the dashboard for Car #1 have been fixed.

They will be doing a warrant round up in town tomorrow through District Lewis. We have been serving warrants left and right this last month. Detective Prebosnyak has been posting notices on their doors and it is putting the fear of god in them and they are paying off their fines.

Chief Ebbert is in the process of updating their towing and storage facilities according to the borough ordinance. He hoped to have the list ready for this meeting but he did not get all the information needed from the towing companies in time.

Chief Ebbert made a plea to Mr. Gower for some help. The fire police are in need of some help. They desperately need volunteers. Chief Ebbert was just informed by Raymond Moyer, head of the fire police that they will no longer be helping at the football games because they don't have enough help. Chief Ebbert is not sure but believes Mr. Moyer said they have 5 members under the age of 70 and it does get long for them to stand out there during the games. So Chief Ebbert made a plea to the citizens of Lehighton to volunteer to be on the fire police. They are really a valuable asset to the town. Anyone interested can contact Chief Ebbert for more information.

Chief Ebbert said the next item goes with the downtown parking discussion. He handed a packet of "friendly" letters to everyone from citizens regarding the parking issues in town. He thought council would be interested in what is being said not only by the residents but by people outside the borough who come here to do their shopping.

Mayor

Nothing.

Fire Chief

Absent.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

Along with her report she had a few other requests. She needs to request the 1<sup>st</sup> budgetary transfer from the L&P Fund to the General Fund in the amount of \$100,000. Councilors Kreitz/Bauchspies made the motions to approve the transfer and all were in favor with no questions or objections.

She received notification from the PA Liquor Control Board that they received an application for the Castle Grill and Pub.

She had an additional fire station bill for Corretti in the amount of \$3,400 for repair of the southeast corner of the building. This brings the total fire company invoices up to \$60,501.23. L&P also has some additional invoices. They are: AT&T for \$856.70 and the Utility office for substation electric bills in the amount of \$2793.45 adding an additional \$3,650.15 to the bills to be approved.

The borough manager said the borough should be receiving a credit for at least half of that cost on our contract with Popple.

Committee Reports

Finance & Administration – Darryl Arner, Chair, George Kogut, Co-Chair – absent.

Streets, Buildings & Codes – John Kreitz, Chair, Bessie Bauchspies, Co-Chair – Councilor Kreitz met with Al a few weeks ago and took a tour of the town. He takes his hat off to the public works department. They have a huge job on their hands and they do a really good job.

Police, Fire & Safety – Scott Rehrig, Chair and John Bird, Co-Chair – nothing to report.

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 – nothing to report.

Acceptance of Officials' Reports

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

Approval of Accounts Payable

Councilors Kreitz/Kogut 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

Councilors Kreitz/Rehrig made the motions to go into Executive Session at 8:55 p.m. and all were in favor.

Motion to go back into Public Session

Councilors Kreitz/Rehrig made the motions to go back into Regular Session at 9:25 p.m. and all were in favor.

Action on Any Items Necessary as a Result of Executive Session

Councilors Rehrig/Kreitz made the motions to authorize purchase of a new server for the police department at a cost not to exceed \$8,422.99 and all were in favor with no questions or objections.

Council discussed an outside firm doing a management audit of each employee to get HR assessments up to date.

Councilor Rehrig questioned the fact that because they gave Lonny a \$1 does that mean we have to do another supervisor \$1? Councilor Rehrig said he doesn't think that is the case and does not mean to pick on the police but the police got a certain raise that doesn't mean everybody else in the borough gets the same raise or because someone in the borough got a certain raise that we go to arbitration with the police to be sure they get the same raise. That's where the popularity contest comes in.

The mayor was kind of surprised that council jumped to a \$1 when Al was in question up until this point and are now taking him from no raise to \$1 in a 3 month period. Did he make that much of an improvement to be able to justify the \$1? You have to look at it all.

Councilor Kreitz asked what Al was making now and was told \$45,000 and the raise will take him to \$47,000. Councilor Kreitz said his personal feeling is that if you were going to offer me \$45,000 to do the job he does I would go tell you to pound sand up your ass and that is the honest of God's truth. The borough manager told the secretary to be sure that remark was put into the minutes. The borough secretary said it is all going to become part of the minutes because we are in open session in case anyone had forgotten.

The mayor said that one must remember he applied for the job and accepted the job and he stays here with that job. Councilor Kreitz said he understands that. Councilor Rehrig said he heard from the wind that there is a possibility that the new lineman might resign in the near future. So now we lose him and are back on the market again and the thing that is scary is that we are going to be put in a pickle. Are we gonna say we have to pay this guy \$100,000 to revamp and then all those pole holders are gonna get another raise and the solicitor agreed.

Councilor Kreitz said Al classifies right along the line of a site foreman that takes care of a giant conglomerate building like a McDonald's or Burger King. Do you know what those guys got paid years ago in the private sector? \$95,000 a year. You are talking about a guy who has maps of the sewer of the whole town, manages 6 guys to get everything done and has to deal with the personalities, and everything else in job. Councilor Kogut pointed out that in the private sector you would probably be paying your health care and taxes that may reduce that. What Councilor Kreitz was getting at is a very common sense issue. We are having a problem getting a Lineman 1. Who do you think you are going to replace this guy with should he decide to leave? Who has the qualifications? Councilor Kogut said you could do like before and go to Energy Central Jobs.com and see if you could get another guy. President Hunsicker said he didn't have all the qualifications when he came here to begin with. He learned a lot within. Councilor Kreitz said right, you are going to have to build him up all over again. So how many headaches do you want to go through?

The borough manager said he is the go to guy then asked Brenda and Kira who they call when they need something and both said Al. President Hunsicker said if we give him \$1 he will get \$47,000 plus \$17,000 in benefits. Councilor Kreitz said all he has to do is go to work and grease trucks and maybe repair a reefer once in awhile and makes \$42,000 a year. Do the math. The solicitor asked if he heard correctly and was told yes he said reefer and everyone laughed. Councilor Kreitz said he was referring to a refrigerated truck.

Councilor Rehrig asked if there was anyone on council that thought \$1 was too much. Everyone agreed to give Al \$1 raise. Councilors Rehrig/Kreitz made the motion to approve the raise with the amended resolution effective February 25, 2013 and all were in favor with no questions or objections.

Councilors Rehrig/Kogut would like to meet with Bruce to do a schematic for a new kitchen at the Rec Center. If Bruce is unable to do schematic we can get another engineer to do the schematic.

Motion to Adjourn the Meeting

Councilors Bauchspies/Rehrig made the motions to adjourn at 9:45 p.m. and all were in favor.

Brenda L. Koons  
Borough Secretary