

January 28, 2013

The Regular Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, January 28, 2013. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, late due to accident in New York, 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, Fire Chief Gary Frable and Mayor Donald Rehrig. Absent: Darryl Arner, Police Chief Neal Ebbert and Bruce Steigerwalt.

Pledge of Allegiance

Hearing of Person's Present

None

Approval of Minutes

Regular Meeting of November 19, 2013.

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

New Business

Motion to appoint Greg Mousseau as Temporary Sewer Authority Solicitor

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

Motion to Award 2012 Christmas Lights Contest Winners

Each winner will receive \$25 off their electric bill.

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

Motion to accept George Tkach's resignation from the Police Civil Service Commission effective immediately

Councilor Rehrig/Bird made the motions to accept the resignation. Councilor Rehrig said a letter of gratitude should be sent to Mr. Tkach for his years of service. All were in favor with no questions or objections.

President Hunsicker said we will need to advertise to fill 2 vacancies on the Civil Service Commission.

Councilors Rehrig/Kreitz made the motions to advertise the vacancies and all were in favor.

Motion to accept Bessie Bauchspies resignation from CCMA

Councilors Kreitz/Rehrig made the motions to accept the resignation with a letter of gratitude being sent and all were in favor with no questions or objections.

Appointment of Councilor to CCMA Board

Grant appointed Councilor Bird to the board and he accepted. Councilors Rehrig/Bauchspies made the motions to have Councilor Bird serve on the CCMA board and all were in favor.

Approval of Raleigh's Outdoor Décor Proposal for update of holiday decorations as budgeted

Councilor Rehrig asked if the lights will be colored or white and Nicole said they will be all colored. He then asked if this was budgeted and was told all but \$262.50 was budgeted. Nicole said that \$16,000 was the budgeted amount. She also said that they plan to sell some of the old decorations to recoup some of the money spent. This update will replace all of 1st Street, North & South Streets & constitution Avenue. All the shooting stars on Mahoning Street will be revamped. All items were on sale at 331/3% off. Councilors Rehrig/Kreitz made the motions to approve the decorations and all were in favor with no questions or objections.

Approval of the Repository Sale on 209 North 1st Street

Solicitor Nanovic said every once in awhile someone wants to buy a property in the county repository. The Tax Claim Bureau will send out notices to the different taxing entities to see if you approve. You have to respond. The only reason to not approve is if you are interested in the property or it is woefully deficient. Normally since it is in the repository there is a reason it is in there. All this does is get it back on the tax rolls. You have to approve it because you may lose some tax revenues.

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

Discussion on Central Carbon County Ordinance Updates and appointment of Council representatives

The Borough Manager said in the past council had expressed interest with going together with Franklin and Mahoning Twp on updating our zoning and SALDO and some of our other ordinances pertaining to land development. She had talked to a Franklin Twp. supervisor and they are very interested in moving forward. She had talked to DCED and there are some grant funds available in the new fiscal year. She wants to assure at this time that council is still interested in moving forward with this. We would also need a representative from council to sit on the committee.

This does not mean that we will have the same zoning as Franklin. We would still have our own personality.

Councilors Rehrig/Bauchspies made the motions to move forward with this and to appoint Councilor Arner as the representative and all were in favor with no questions or objections.

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

Councilor Bauchspies made a motion to ordain the alley but after some discussion as to how to proceed she rescinded her motion until the matter could be looked into further by the borough engineer.

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

Recommendation to proceed with the design of the Light & Power Building Addition

Councilors Rehrig/Kreitz made the motions to table this item until a full council is present to vote and all were in favor.

Motion to adopt resolution R-001-2013 for Non-Pool Power Purchase with Agreement

Councilors Rehrig/Bauchspies made the motions to adopt and sign the agreement. Councilor Kogut recused himself from the vote. A roll call vote was then taken with 5 yes votes, 0 no votes and 1 abstaining. Motion carried.

Motion to adopt Resolution R-002-2013 for Pool Power Purchase with Agreement

Councilors Rehrig/Kreitz made the motions to adopt and sign the agreement. Councilor Kogut recused himself from the vote. A roll call vote was then taken with 5 yes votes, 0 votes and 1 abstaining. Motion carried.

Steve Ebbert of the Lehighton Fire Department addressed council on the fire station project

He said the bids came in over bid. They are not asking for more money but asking for council's time and an extension to redesign to make sure the project comes in under bid. Council had approved for the approval of the grant funding and approval of the matching funds but was very clear that that is where we need to be. Mr. Ebbert is here to let council know that with the bid openings they are able to present a project that is coming in with a project that is in under the budgeted amount that they had requested. With the redesign the members of the building committee sat down and really tightened it up. They reduced the size of the upper floor and removed one apparatus bay but kept the design so that if in the future they need to expand again the building is designed to allow this to occur. The locker room is now a shell with only rough plumbing but no showers or fixtures will be installed. The same goes for the kitchen. It will also be a shell designed as a kitchen with rough plumbing but nothing more. The bunk rooms and exercise rooms were removed but we will have the room to house the apparatus and operate in a safer environment. Of the 20 alternate bids only 8 were chosen. These were chosen not only with the fire station in mind but the neighboring police station. One of those alternates being the repointing of the building and the masonry of the windows and doorways and we are still within the budget.

Fire Station Construction Project – Bid Award

Councilors Rehrig/Kreitz made the motions to award the bid at a cost of \$3,168,308 and any additional funds or improvements to the building only being done if funding is available to do the project and all were in favor with no questions or objections. Councilor Rehrig thanked the fire department for being under budget.

Utility Relocation Project – Bid Award and Funding

The Borough Manager said this was a snag that came along with the project. We need to relocate the electric utility up on the site. Utility Engineers had thought the best way was to go underground and we bid the project that way. The low bid was \$197,395. The borough will be purchasing the materials. The high estimate for that is \$100,000. We have spent \$36,000 so far for the design of the project and expect that to double until the project is done. So we are looking at \$375,000 project until it is all said and done. We are looking at how to fund the project. We can borrow from ourselves and tact it onto the Fire Station Construction Fund Loan which would take

approximately 16 years instead of 13 years to pay it back or go after private funding.

Harry B. Miller Company was the low bidder. Nicole said it is very unusual for a project of this type to have change orders unless they run into a problem underground. Nicole said there is a 12% contingency built into the Fire Station Construction Project and any change order would come back to the table before anything is done.

Councilor Rehrig asked for clarification from the solicitor. He asked if this could be approved with a condition that the financing be decided on at the next meeting before a full board of council as there is a councilor who has an idea of where to get the money and they are not present tonight. The solicitor said we can do that as long as council understands that they are committing to financing the project but where the money will come from can certainly wait until next meeting.

Councilor Rehrig made the recommendation with the exception we wait until the next meeting to know where we are going to get the money from.

Nicole said there is concern with doing that because of the lead times on materials. The poles have almost a year lead time themselves.

Councilor Rehrig made the motion to go ahead with this and look outside to secure money from banks or somewhere to pay for this.

Nicole asked if they would award the bid to the low bidder and she would look into outside funding and come back to council with her findings and also talk to George.

Councilors Rehrig/Bauchspies made the motions to award the low bidder Harry B. Miller at a cost of \$197,395 with the financing to be decided at the next meeting. All were in favor with no questions or objections.

MWH Agreement – Phase 1 Preliminary Design Agreement (Reimbursable through grant)

Councilors Rehrig/Kreitz made the motions to table this item until no longer than the next meeting before a final decision is reached and all were in favor with no questions or objections.

Discussion on Downtown Parking

Councilor Kogut arrived late due to an accident on the way home. He said the Downtown Parking Committee has met. We want to try to enhance parking so the downtown business area has a parking area to send their customers too. We as the board need to work with them to maximize their profit.

One proposal is that the parking lot behind PNC Bank be blocked in so that it is for the sole purpose of the business district. We can have a gate with an attendant and have validated parking.

Another thought is to use the other lot behind Dr. Gahli. We could pave that and use it as an overflow lot.

Other side of tape did not record, going from notes.

A rail service from the borough to Jim Thorpe could help us thrive and make new businesses want to come into the borough.

Councilor Rehrig said they have looked at parking 4 over 20 years and the free parking at Christmas time has never caused a problem.

Councilor Kogut said he welcomes suggestions and to be told if he is way off base.

Councilor Bird brought up angle parking around the park only and wants to bring it back. He is in favor of suing PennDOT if necessary to get it back.

Nicole started reviewing files and with Downtown Park funding it could force a redesign and bring back angle parking.

Nicole went back to item 10 now that Councilor Kogut was present and stated the item was budgeted for in 2012 and carried over to 2013. The item stayed tabled.

Unfinished Business

Motion to reappoint Dale Traupman and David Krum to the Planning Commission for a 5-year term, each

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

Officials' Reports

Borough Manager

She said that we did receive notification of a \$20,000 grant award from the Lehigh Valley Greenways Mini Grants.

We are still working on the RFP's for police pension.

She commended Public Works for a sewer back up problem on Hamilton Street. The homeowners have also sent a thank you for handling it so quickly.

We are finalizing the pavilion at Baer Memorial.

Council will be finding out about some additional funds that are available for the Jacob Weiss Park from 2007. A full update will be given next month.

Bidding amounts have changed with the Consumer Price Index.

Engineer

Absent.

Police

Absent.

Mayor

Nothing

Fire Chief

Nothing

President of Council

Committee appointments

President Hunsicker said they will remain the same.

Solicitor

Nothing.

Treasurer

There are 2 additional bills not on the report. One is for Tom Evans and the other is for Safeguard for sewer bills.

Committee Reports

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

Streets, Buildings & Codes – John Kreitz, Chair, Bessie Bauchspies, Co-Chair – nothing to report.

Police, Fire & Safety – Scott Rehrig, Chair and John Bird, Co-Chair – Councilor Rehrig said there is an issue at Shull David and he want police to get out of their car. He also asked why there are two secretaries working at a time instead of 1 working during the day and 1 later at night?

He wanted the Mayor to discuss these items no or not at all. The Mayor wished to discuss in executive session.

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 and Tom had a meeting. They want Baer Memorial to be a huge recreation area. Tom is looking into funding & asking Bruce about engineering to put 2 basketball courts in by this coming year.

Councilor Kogut is working on getting a walking/running track done. He is thinking maybe a senior would want to do it as a senior project. Funding for lighting is expensive but at least he now has a bench mark. There are issues to be worked thru but it will be done cost effectively.

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 Rehrig/Kreitz made the motions to approve the accounts payable plus the \$1,687.57 for the 2 additional bills and all were in favor with no questions or objections.

Adjournment

Motion to go in to Executive Session

None required.

Motion to go back into Public Session

Action on Any Items Necessary as a Result of Executive Session

Motion to Adjourn the Meeting

Councilors Kreitz/Bauchspies made the motions to adjourn at 9:05 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary