

March 25, 2013

The Regular Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, March 25, 2013. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, Bessie Bauchspies, John Kreitz, John Bird, Darryl Arner 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 Police Chief Neal Ebbert. Absent: Borough Engineer Bruce Steigerwalt and Mayor Donald Rehrig.

Pledge of Allegiance

Hearing of Person's Present

Councilor Kogut introduced 2 boy scouts from Troop 82 in Lehighon prior to the Hearing of Person's Present. Devon Frantz is a junior and Mason Everett is a senior both attending Lehighon High School. They will be working on a merit badge by partaking in our meeting.

Carlos Teets of the Heights, not the forgotten area anymore, was the first to address council. Carl, representing the Water Authority wanted to fill council in on some things on 1st Street that will have to be looked into. Carl said Grant and Scott are aware of it. The Water Authority guys were down checking for a leak a couple weeks ago and found some noise on 1st Street and checked them out with their instruments. They checked different buildings. The buildings on 1st Street as you know have basements that are under the sidewalks and come out to the curb. They went in one building and found a little noise but decided it didn't amount to anything. Then they went across the street and got a hold of the owner of the building and he opened up and they went in and the water was okay but they went under and into the curb and found a gas line that was fastened underneath with brackets to the sidewalks to hold it. The water lines are below that but the gas line was only 2 feet below the surface. These were rotted off, the gas line was down and kinked. It was a new line but it was kinked. It was pretty close to breaking. The guys went up to the gas company who came down immediately and fixed the problem. Carl's point is that we should have a code inspector or somebody that does this in the borough. There are other places that have this same thing. If any of them have gas this same thing could occur there and nobody would know it. They wouldn't have known this had the guys not gone in there. Carl said Grant wanted to give them a letter of commendation but they don't want it and neither does Carl. Carl's feels it should be checked into before something does happen. Look what happened in Allentown and it could have happened here. The gas company came right down and they couldn't get over it. They went right down and fixed it. The owner of the building was really happy that this was taken care of quickly.

Councilor Kogut wondered if UGI should be contacted and make a request to have them come and make some safety checks and Carl agreed

before something does happen. Councilor Kreitz said they are supposed to make yearly checks. President Hunsicker said they do of the outside of the building but is not sure if they do the inside of a building or not. Councilor Kreitz said he knows the gas company normally figures anything after their meter is the customer line so maybe it's more on our end and we need to do something. Carl said it was Glen Claypoole's building. The Borough Manager said she would contact UGI tomorrow.

Approval of Minutes

None were submitted.

New Business

Approval of SS Peter & Paul School holding Annual 5K Race/Fun Walk May 25, 2013 (same requests as last year)

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

Approval of Council President being appointed as the borough's MECAB delegate (and an alternate if possible)

Councilors Arner/Rehrig made the motions to appoint Grant and all were in favor. Councilors Arner/Kogut made the motions to appoint Scott as the alternate and all were in favor with no questions or objections.

Approval of purchasing \$30 gift certificates to the 7th Moon for Administrative Assistants Day, April 14th (9 certificates)

Councilors Rehrig/Kreitz made the motion to buy the certificate and all were in favor with no questions or objections.

Motion to give donation to the United Veterans Organization (\$250 same as last year)

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

Discussion of supporting the Carbon County Bird Club's Earth Day Clean-up and help with disposal of materials collected (dumpsters or stock piling for Borough removal)

The borough manager said they are looking to clean up the Mahoning Creek area by the borough garage and further down to have a bird club. They are working with the school district, the county environmental center. The cleanup is to better observe the birds down there.

Councilors Rehrig/Kreitz made the motions to stock pile for Borough removal and all were in favor with no questions or objections.

Motion to approve the use of Baer Memorial and the Rec Center for the Senior Games (same request as last year)

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

Councilor Kogut asked that the borough manager make note of the fact that Franklin Township Little League asked to use the ball field at Baer Memorial for practice and that if it conflicts with the senior games the seniors have the field not the little league.

Motion to adopt Resolution R-003-2013 Appointment of Police Pension

Councilors Kreitz/Bauchspies made the motions to adopt and all were in favor with no questions.

Motion to adopt Resolution R-004-2013 Pertaining to the Borough Depositories and Check Signatures

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

Motion to adopt Resolution R-005-2013 Amending the Borough Pension Plan with Pennsylvania Municipal Retirement System

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

Approval of Trailhead ADA curbing contractor

The borough manager said she is awaiting proposals from contractors on the ADA curbing if they come in within the trail head budget we will proceed and ratify the contract at the April 22nd meeting. The work must be completed by June. This is all within the grant funding we have with D&L. She believes the total grant is \$30,000.

Councilors Rehrig/Arner made the motion to approve the curbing contractor within the budget guidelines we have. No questions or objections.

Approval of Geotechnical Study Proposal

In Entech's original proposal it was about \$9,500 for the geotechnical report. We can get it cheaper going this route.

Councilor Rehrig/Kreitz made the motions to approve the study by Earth Engineering and all were in favor with no questions or objections.

These next items were on the agenda supplement provided by the borough manager.

Item #12 – Jeff Bachman sent a letter of interest for the vacant position on the Civil Service Commission.

Councilors Rehrig/Kogut made the motions to approve Mr. Bachman filling the vacancy and all were in favor with no question or objections.

Item #13 – Approval of 3 change orders for the electric utility relocation project totaling \$10,993.

Councilors Rehrig/Kreitz made the motions to approve item #13 and all were in favor with no questions or objections.

Item #14 – Approval of internship opportunity announcement as previously discussed and budgeted for an intern from Kutztown University in Public Administration and/or GIS Mapping and Planning to get our electronic database up and running. Councilor Kogut asked why Kutztown and the borough manager said because they have the program. Councilor Kogut asked if we couldn't get an intern from Lafayette or Lehigh and Nicole said yes but she has connections at Kutztown and because they have the public admin and she isn't sure who else has that. It has been budgeted at \$6,000 but she only thinks we will use half of that.

Councilors Rehrig/Arner made the motions to approve the internship with a Kutztown University student for the mapping and all were in favor with no questions or objections.

Item #15 – Priorities of Recreation

The proposed addition to the recreation building may not be feasible. The roof does need to be replaced so the borough manager asked for a motion to move ahead with the roof replacement, design and bidding at this time.

Councilors Rehrig/Kreitz made the motions to bid out the roof replacement at the Rec Center and all were in favor with no questions or objections.

Item #16 – Police Pension Committee is recommending moving the Police Pension Funds to Municipal Retirement Trust. This came about mostly because Bank of America no longer in this market and contacted us saying they were terminating their services with the borough. Solicitor Nanovic said there is no action needed on this item. The committee wanted it brought to council’s attention in case there were any questions or comments.

Unfinished Business

Petition to ordain “Betty’s Alley” and continue proper maintenance

Solicitor Nanovic understands that the petition has now been signed by everyone and he can proceed with preparing the ordinance and advertising it and adopting it and then doing the deed from these various residents to the borough.

Councilors Rehrig/Bauchspies made the motions to have the solicitor draw up the ordinance to ordain Betty’s Alley and prepare the deed and all were in favor with no questions or objections.

Discussion on Downtown Parking

Councilor Kogut put together a parking proposal for the purpose of discussion. It pertains to the lots between Alfie’s and PNC. We would enclose that and make that a business parking lot only. The overflow lot would be the lot we own on Sgt. Stanley Hoffman. We would have to pave it and it would be overflow for business and residents.

Councilor Kogut has been rethinking the whole idea of physically removing the parking meters. Maybe we could do a phase and see how it goes for 30 days. He feels the best way to approach this is by getting the business owners involved with their input. The framework George proposes is just a starting point to get things going.

After much discussion, council felt the parking situation should be looked into further. They agreed they need to satisfy the customers and also make it workable not only for the residents but also the businesses.

One thing brought up at the Economic Development meetings was that customers drive through and go “oh”. We need to make the business community want to take back some pride. The idea of extending the train into the borough to bring people in to the town was also brought up. The idea of giving the businesses an incentive to stay in business was also brought up mostly pertaining to the cost of electric. We need to draw people to Lehighton. Maybe getting the train to run between Jim Thorpe and Lehighton would help. Working with the school district and the kids might be an option.

Councilor Kogut said that on April 11th there will be a Positive Attitudes, Negativity Out meeting here with the 7 churches and that will be one of the items discussed. He has also talked to Kathy Henderson who told him there are people who want the train to extend to the borough. So there is interest.

Ron Gower was asked to please put an article in the paper about this discussion to get people thinking of ideas that might work. Mr. Gower said that years ago when Bright’s was downtown, if you were an employee and

parked at a meter you would be fined. Today, all the merchants park at the meters.

Financing of Utility Relocation Project

The borough manager said a basic resolution will be prepared for the next council meeting. She is waiting for final figures for materials in the contract.

Hydroelectric Municipal Authority and the future of the Hydroelectric Project

The borough manager said our solicitor has received the revised agreement and is reviewing it. Solicitor Nanovic said it is an entirely new agreement and about 22 pages. He does have some questions but it is much better than before. Nicole said she will forward it onto Utility Engineers to look over. She also spoke to Craig Engler who told her he cannot afford any additional delays with the project and are requesting action on it at the April 22nd meeting.

Item #5 Selling the Annex Building

The borough manager said at the Special Meeting of March 8th the public had discussed possibly selling the Annex and council had their own opinions on the subject. Is council interested in this?

Council discussed it a bit. They decided to look first at if there is a gain to having this building or not from the revenue being taken in compared to the expenses before going any further. Also, we need to know the ramifications of the grant monies put into the building. Will we need to pay any of that back if we sell it?

Officials' Reports

Borough Manager

She went over her report. She is also working on getting a date to hold a ground breaking ceremony for the fire station. She is looking at the 2nd week in April, possibly the 11th. She will let council know more soon.

Engineer

Absent. The borough manager said he did submit as an FYI on the Kovatch property land development plan.

Councilor Rehrig asked about the next steps with PennDOT as far as the turning lane and traffic light on South 9th Street. The borough manager said there is an email attached regarding those items. She will work on what we can do and bring it back. She is waiting on some information that was collected. It was also discussed with the Signal Unit and told Nicole that if the borough wants to signalize the intersection it is department policy to receive a written financial commitment to perform the improvements and to let her know how we want to proceed there. As far as 9th & Union, the borough would need to submit a plan for improvements; an engineer would have to draft the plan. 902 & 443 will be under construction in April. When that work is done, a section of 902 will be replaced.

Police

Officer Matt Bender is requesting council's permission to participate in camp cadet again this year and represent the Leighton Police Department and Borough. Camp will begin July 21st with graduation being the 26th.

Councilors Rehrig/Kreitz made the motions to approve Officer Bender attending Camp Cadet with pay as was done in previous years and all were in favor with no questions or objections.

Paul Mriss was sworn in last month to the Police Civil Service Commission. Jeff Bachman was appointed tonight and Chief Ebbert will see that he is also sworn in. Chief Ebbert will set up a meeting with the 3 members of the commission as they are all brand new.

Chief Ebbert is working on updating the towing list. There was a mistake on the police monthly report. Neal handed out a replacement sheet with the correct figures.

Mayor

Nothing

Fire Chief

He commented on a thank you letter his department received regarding an incident.

President of Council

Councilors Arner/Kogut made the motions to have a resolution drawn up for the voting delegate and alternate delegate for the PSAB convention if needed and all were in favor with no questions or objections.

Solicitor

He brought up the Boyko lease. Council decided to table this for now.

Treasurer

She requested a \$100,000 budgetary transfer from L&P to the General Fund for operating expenses.

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

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 – nothing to report.

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

Sewer Committee – Bessie Bauchspies, Chair, Darryl Co-Chairman – nothing to report.

Public Works & Recreation – George Kogut, Chair, John Kreitz Co-Chair – commented on the use/number of people at the pool and rec center. George wanted a timeline on the basketball court installation. The bocce ball courts are being coordinated with Tom. President Hunsicker said there is no money to put basketball courts in. George said Tom is soliciting different businesses to cover the cost of the courts. George doesn't want to see this project fall by the way side.

Nicole said that Kira recently did a project like this and it cost \$84,000 just for the installation of the courts. That's not to say ours would come in at that cost; it's just a ball park figure. Kira said the \$84,000 covered the site

prep grading, court, fencing, basketball hoop purchase and installation, line painting, top soil and mulch.

Scott brought up the issue with damaged playground equipment and drugs at the Grove. He feels we either need to close it due to needles being found there and property damage to the equipment or we need to maintain it, police it and clean it up. Also, the residents living around the park for many years having to deal with what goes on there on a regular basis. More discussion but no decision. It will be looked at in the coming months.

Acceptance of Officials' Reports

Councilors Kreitz/Rehrig 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

Councilors Rehrig/Bird made the motions to go into Executive Session at 9:17 p.m. and all were in favor.

Motion to go back into Public Session

Councilors Rehrig/Arner 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

None

Motion to Adjourn the Meeting

Councilors Rehrig/Arner made the motions to adjourn at 9:30 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary