

September 23, 2013

The Regular Meeting of the Lehighton Borough Council was held in the Municipal Building on Monday, September 23, 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, Borough Secretary Brenda Koons, Solicitor James Nanovic, Mayor Donald Rehrig, Officer-in-Charge Joe Lawrence, and Fire Chief Gary Frable Absent: Borough Engineer Bruce Steigerwalt.

Pledge of Allegiance

Public Hearing – Mallard Beverages, LLC to Transfer a restaurant liquor license into the Borough of Lehighton and approve resolution R018-2013

Attorney Carol Walbert was present representing Frank Kuhn who was also present and requesting council to allow him to transfer a liquor license for a small restaurant he wants to create. She presented the plans to council. Mr. Kuhn stated that they will stay within the footprint of the current store. He plans to have access to the restaurant type beer store in the rear. The new part of the store will be in the basement. The additional parking will extend onto the property next store which he currently owns. There will be 20 doors of refrigerated cases selling 6 & 12 packs of beer and single beer as well. There is seating for 35 people which are the minimum requirements for a liquor license. Their intention is not to be a bar. They want to sell fried chicken and hot dogs and maybe pizza as a carry out thing. He plans on hiring an additional 4-5 people with 1 being full-time. His hours are tentatively 10 am to 11 pm. During the summer he may stay open till midnight.

Mayor Rehrig asked if the addition will be will be sufficiently lit because of the hours it will be open. Mr. Kuhn said yes. Additional lighting will be installed on the building and on the side of the building. There will be signage and possibly a lighted awning. A wide sidewalk will be put in at the adjacent property for access to the entrance from 2nd Street.

Councilors Rehrig/Bird made the motions to adopt the resolution and all were in favor with no questions or objections. President Hunsicker introduced Officer Broyles to everyone. He was on duty at the meeting as per council's request.

Hearing of Person's Present

None

Approval of Minutes

None were submitted.

Motion to adopt Ordinance 606-2013 amending the municipal pension plan administered by PMRS

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

Motion to approve the 2014 Minimum Municipal Obligation Worksheet for the Police Pension Plan

Nicole said that this has gone up \$35,036 for the year.

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

Motion to approve the 2014 Minimum Municipal Worksheet for the Non-Uniform Pension Plan

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

Motion to release the 2013 Minimum Municipal Obligation for both pension plans

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

Approval of Change Order 007 issuing credit to the Borough in the amount of \$184.51 and extending contract date to September 4, 2013 along with Final Completion for the Utility Relocation Project

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

Discussion/approval of the Traffic Signal Warrant Analysis at 9th & Bridge Streets

Nicole contacted 3 firms at council's request; DAWOOD, Lehigh Engineering and McMahon. She suggested going with DAWOOD. The cost of their study is \$1,000. They will assist with the ARLE application for the grant at no charge.

Councilors Rehrig/Arner made the motions to approve DAWOOD for the Traffic Signal Warrant Analysis and all were in favor with no questions or objections.

Motion to make appointments to the following Boards, Commissions, and Authorities:

Vacancy Board – Lyle Christopher – Councilors Rehrig/Bauchspies made the motions to reappoint.

Zoning Hearing Board – Clark Ritter – Councilors Rehrig/Arner made the motions to appoint.

CCMA Board – Manuel DaCosta – Councilors Rehrig/Arner made the motion to appoint and all were in favor with no questions or objections.

The borough secretary said that Jim Deebel came to see here today and offered to take the other borough seat on CCMA if council so desired. Councilors Rehrig/Kreitz made the motions to appoint Mr. Deebel pending Grant's resignation.

Property Maintenance Board (alternate position) – Manuel DaCosta – Councilors Rehrig/Arner made the motions to appoint.

All were in favor with no questions or objections.

Nicole thanked Brenda for doing a great job of filling all but two of the vacancies which she is working on at the present. There is a vacancy on the Sewer Authority and position on the UCC Board of Appeals.

Approval for the Lehighon Touchdown Club Bonfire and Parade (same requests as last year)

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

Approval for the U. V. O. Veteran's Day Parade Sunday, November 10, 2013

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

Motion to approve Resolution R019-2013 pertaining to the PLIGIT Credit card program agreement

The solicitor had no problem approving the agreement as long as it is contingent upon him going over it first. When he went over it for Jim Thorpe there were a few items missing.

Councilors Rehrig/Kreitz made the motions to approve as long as the solicitor approves the agreement and all were in favor with no questions or objections

Motion to approve Resolution R020-2013 to support the Local Share Grant Application for the rehabilitation to the Upper Park and Amphitheatre in the amount of \$551,511 along with an in-kind contribution of \$55K to upgrade the electrical service in the park

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

Motion to approve the Dollar General Land Development Agreement

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

Nicole provided additional items on the table at the beginning of the meeting to go over now.

Motion to donate L&P services for pole installation at the Franklin (Big Creek) Grange

Nicole said she believed this was a volunteer project. Councilors Rehrig/Kreitz made the motions to approve donating L&P's services and all were in favor with no questions or objections.

Motion to allow Oktoberfest committee to utilize borough garbage cans for event October 18 & 19, 2014

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

Motion to approve supplemental agreement to extend completion date of Colonel Jacob Weiss Park Transportation Enhancement Program

Nicole said the completion date needs to be extended as it is a grant from 2006. It's the same contract. We are just asking for an extension.

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

Motion to change the status of Ty Armbruster from seasonal laborer to part-time public works laborer

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

Motion to approve Resolution R021-2013 designating state aid
dispersment

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

Unfinished Business

Continued discussion/approval of the purchase of new police cruiser

Council looked over the sheets provided. Councilor Rehrig said that according to Sgt. Lawrence the Harris BTA-CA repeater radio, which the state police cars have, will take off \$8,600 and will bring the price of the car down to \$48,491.91. This will provide us with a state of the art police car with cameras in it which should provide better service to the police and the public.

Nicole asked who sells this vehicle. Scott said Kovatch. President Hunsicker said there are others that sell it too they were told but cheaper. Sgt. Lawrence was asked to get the list and bring it back to council.

Officials' Reports

Borough Manager

She went over her report. Council had no questions.

Engineer

Absent

Police

Sgt. Lawrence wanted to thank Vice-President Rehrig for requesting the increased security at the meetings. They met with Mayor Rehrig and the borough manager and there will be a uniformed officer here until everyone gets out, even after executive session. This may result in an increase in hours for part-time officers due to having one at the meeting and one on the streets.

Mayor

Trick-or-Treat will be from 6-8 p.m. October 30, 2014.

Fire Chief

Nothing

President of Council

Nothing

Solicitor

Nothing

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 – Councilor Kogut said he is working on getting the RFP together for the hydro project and will bring it back to council hopefully for the next meeting.

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 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/Arner made the motions to go in at 8:20 p.m. for personnel.

Motion to go back into Public Session

Councilors Arner/Kreitz made the motions to go out of executive session at 9:05 p.m.

Action on Any Items Necessary as a Result of Executive Session

Councilors Rehrig/Bauchspies made the motions to approve Pat Diehl's retirement and 11 day carryover into 2014 to help train the new hire and all were in favor with no questions or objections.

Councilors Rehrig/Arner made the motions to advertise for Pat's position and narrow down applicants by committee with Pat, Patti and Denise present at interviews and all were in favor with no questions or objections.

Councilor Arner/Rehrig made the motions to hire Cathy Smith at a starting salary of \$35,000. All were not in favor with a roll call vote taken – George, Bessie, John Bird and Grant voting no; Scott, Darryl and John Kreitz voting yes. Motion failed.

Councilors Kogut/Bird made the motions to hire Kerry Verastro at a starting salary of \$35,000 with a 12 month probationary period. All were not in favor with a roll call vote taken – Scott, Darryl and John Kreitz no; George, John Bird, Bessie and Grant yes. Motion carried.

Councilors Rehrig/Bird made the motions to continue the suspension of Derek Solt with the solicitor contacting Derek of the charges against him and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Rehrig/Bauchspies made the motions to adjourn at 9:20 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary