

April 28, 2014

The regular meeting of Lehighon Borough Council was held in the Municipal Building on Monday, April 28, 2014. The meeting was called to order at 7:30 PM by Pres. Grant Hunsicker. Members in attendance were: Helen Torok, John Kreitz, Joe Flickinger, Bessie Bauchspies and Scott Rehrig.

Officials in attendance were: Borough Manager Nicole Beckett, Borough Secretary Brenda Koons, Solicitor James Nanovic, Mayor Tom Mase, Police Chief Brian Biechy, Fire Chief Gary Frable and Borough Engineer Bruce Steigerwalt. Absent: Darryl Arner.

Pledge of Allegiance

HEARING OF PERSONS PRESENT

None

APPROVAL OF MINUTES

Regular Meetings of September 23, October 28, November 25 and December 16 and Special Meetings of October 7, November 19, December 4, and December 9, 2013

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

NEW BUSINESS

Motion to appoint Sara Wingert to the Shade Tree Commission

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

Motion to approve Ginger Outlaw holding a "Boot Drive" on 9th & Mahoning Streets to raise money for her Relay for Life Team on May 24, 2014

This item was removed from the agenda.

Motion to advertise the Lock Box Ordinance

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

Motion to approve Resolution R-006-2014 authorizing the police vehicle lease and authorized signors

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

Motion to adopt Resolution R-007-2014 amending the fee schedule

Councilors Rehrig/Flickinger made the motions to amend the fee schedule, and all were in favor with no questions or objections.

Motion to adopt Ordinance 611-2014 defining, prohibiting and providing exceptions for the consumption and possession of alcoholic beverages on borough property

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

Motion to approve the 2014 Pennsylvania Environmental Council Mini Grant Agreement

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

Motion to advertise the Light & Power Building Project for bid

Councilor Rehrig asked what the budgeted amount for this project was and the borough manager said she believed it was \$400,000. The project will go out for bid the same way the fire station project was done. There will be a base bid and the alternate bids to ensure the project stays within the budgeted amount.

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

Motion to terminate payroll processing contract with SafeChoice Software Solutions effective June 30, 2014

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

Motion to contract with ADP for payroll processing, workforce NOW and time clock subscription effective June 30, 2014

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

Councilor Rehrig had one other item to bring up under new business. He said a number of business owners down town were requesting being able to put tables and chairs out in front of their businesses for patrons to utilize while eating their food. He asked the solicitor if there was a problem with this. Solicitor Nanovic said he's not sure and would have to look at the ordinances.

Councilor Kreitz then mentioned Ordinance 192.7 stating that under that ordinance we would have to revise that section. We should make that ordinance match the other ordinances stating that there has to be a 36 inch walkway. He was in the down town today and measured the distances and there is plenty of room for them to put tables down there as long as they are kept close to their buildings. Councilor Kreitz read that section of the ordinance which stated that nothing shall remain displayed on the sidewalks between sunset and sunrise. He said that is the only part that needs to be changed but can we just not enforce this section of the ordinance until it can be amended.

Councilor Rehrig made a motion to not enforce that section of the ordinance and to allow businesses to put tables and chairs out on the sidewalks from sunrise to sunset and Councilor Kreitz seconded the motion and all were in favor with no

questions or objections. The solicitor was directed to rewrite the ordinance for the next meeting.

Unfinished Business

None

Officials Reports

Borough Manager

The money that was collected from “shut-offs” in the month of April was \$12,542. The money collected from January to March through the use of limiters was \$19,183. She also had an agreement from Creditech which we currently use. We have always used them but now we are looking into using them to collect the debts and have it reported to the credit bureau. She then asked council to make a motion to approve the agreement and she and the solicitor will work on drafting the resolution.

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

Nicole would like council to authorize advertising for bid the police car and Light & Power’s 1995 Freightliner truck.

Councilors Rehrig/Flickinger made the motions to advertise the 2 vehicles when they are ready and all were in favor with no questions or objections.

Nicole also forgot to place on the agenda a motion to advertise the Quality of Life ordinance. Council has seen the draft and she and Atty. Nanovic are still working on some of the final language regarding garbage cans and what not. If you would to make a motion to advertise it we will get it out once it is finalized.

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

Nicole then requested a motion for a \$100,000 transfer from Light & Power if needed. Councilors Flickinger/Kreitz made the motions to approve the transfer if necessary and all were in favor with no questions or objections.

Nicole went over her written report. Councilor Flickinger thanked Nicole and the Leadership Carbon Class of 2014 for bringing the 5K race to the borough. Councilor Flickinger said borough council is interested in continuing to host the race next year. All of council agreed to do it in 2015.

Nicole said she is also going to offer some space to the local businesses at the pavilion. There is a bulletin board there where they can post their lunch specials to entice people to go visit our downtown.

She also said we need a bike shop down there so if anyone knows anyone that is interested in pursuing that to let her know.

Borough Engineer

Bruce said we have received final plans for the Semanoff subdivision down on Lehigh Drive. He is recommending the following motion:

Motion to give conditional approval for the Semanoff subdivision conditioned upon the Borough receiving outstanding fees

Councilors Rehrig/Flickinger made the motions to give conditional approval and all were in favor with no questions or objections.

Councilor Torok wanted to comment on the blight that surrounds the wonderful work that has been done and invested in stating it needs to receive some kind of priority so it's not the first thing you see when you come to the pavilion; meaning across the street. It is a hideous site.

Councilor Rehrig said he and council president spoke to the zoning officer and the borough manager today. We are going to try to rectify those problems all the way through Sgt. Stanley Hoffman Blvd. He will be doing visuals and if need be he will be going into the buildings. If they are a fire trap they will receive proper notification. Councilor Rehrig said he is not sure if the fire chief has the authority to go into a building and inspect it for safety.

The fire chief said according to the book he can approach any property announced or unannounced but he has nothing on paper that says he can do that. He has no official training that says he can do things like that. He does have 2 officers with the proper training that can do inspections but he would also like to be there when the inspections are done.

The fire chief feels if their department goes along with the zoning officer to these blighted building it will benefit them as much as anyone else.

Councilor Rehrig asked Nicole to schedule something with the 2 departments to get the inspections started. Nicole said she is already increasing Tim's hours for the summer because of all the complaints. She is monitoring the budget but wants council to be aware that it is necessary especially if council wants all of this completed.

Councilor Rehrig wants Nicole to pass on to Tim that council is 100% satisfied with his work so far.

Police

Approval for Officer Matt Bender to attend the State Police Cadet Camp July 20–25, 2014 and to wear the Lehighon Police Department uniform at graduation

Councilors Rehrig/Flickinger made the motions to approve Officer Bender attending the camp with salary paid and wearing the Lehighon Police uniform at graduation and all were in favor with no question or objections.

The new car is equipped and in service. It should be marked within a week or two.

They are looking at putting a drug drop box in the foyer of the police department. He is working with the District Attorney and Doyle Heffley on this. This will give the residents who have old or unused medications a safe way to dispose of it.

Councilor Flickinger thanked Chief Biechy and his department for the job well done on the lab on 1st Street and for the traffic control assistance at the fire. Joe said the fire police captain approached him on Saturday and asked that for major incidents like what occurred on 1st Street if a car is available to have them communicate with them. Two of the fire policemen were almost struck at the fire even though the road was completely shut down. Chief Biechy said he did go to the last fire police meeting. He won't make every meeting but he does plan to attend a few more to work that out more efficiently. Brian said he is not that versed on what they have as far as equipment or training or what they do. We do try to provide them with whatever they need. Our fire police are fantastic. Brian said he will pass on to them that if they need police assistance they shouldn't be afraid to call. Honestly though, we don't pay attention to them because they are that good and we know they are going to do the job at hand and get it done. He will pass along the compliment.

Nicole also remarked on how well they were on Saturday at the race. She thinks they drank the Kool-Aid also.

Councilor Rehrig asked that a letter of appreciation be sent to the fire police and Nicole said she intended on doing just that.

Mayor

He commented on how nice the Arbor Day program was and that if you haven't attended the program before you should plan to do so next year.

Mayor Mase said on Sunday he was at Trinity church for an Eagle Scout Ceremony for Devon Frantz.

He also wants an ordinance for exotic pets on borough property. Last year at Bike Nite there was someone walking around with a snake wrapped around their body making a few people very uncomfortable and does not think borough council should allow this to continue. Tom would like to have the ordinance updated to include that no one be allowed to carry a snake or any other exotic animal within 500 feet of any borough owned park, property or building.

Councilors Rehrig/Kreitz made the motions to approve the solicitor looking into the legality of adding this to the ordinance and if it can be done then to see that it is added to the ordinance and all were in favor.

Councilor Kreitz asked to have an addendum to be added allowing an exception for any event held in the parks where exotic animals are part of the event.

Fire Chief

Nothing.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

An additional list of bills was provided for approval.

Committee Reports

Finance and Administration – Darryl – Chair, Bessie – Co-Chair – Absent
Councilor Rehrig wanted to include in the 2015 budget that we set money aside to make a donation to the D&L Heritage Corridor.

Streets, Buildings and Codes – Joe – Chair, Darryl – Co-Chair – Joe would like the solicitor to look into the minimum maintenance ordinance. This is referenced to on page 23 of the National Main Streets Center Assessment team from last year’s assessment. He had literature on that for some examples as well as an annual inspection ordinance example. Once we do get our commercial areas in order then we can keep after them year after year.

Police, Fire and Safety – Scott –Chair, John – Co-Chair – Scott said he and Mr. Kreitz have both noticed a big step forward with the police department and they commend them for doing that.

Under the word “Safety” Scott thinks we should have a company come in to see what can be done to fix some of our roads. Grant thinks bringing in Brenaman would be better to see if they can recycle some of the streets. It’s probably a cheaper way to go but you have to have a certain depth of street to do it too. He then asked Bruce for his opinion. Bruce said we did that a number of years ago on 5th & North 7th Street, Beaver Run Road and Gypsy Hill Road. Gypsy Hill did not turn out very well. There were some issues on 5th Street. It just didn’t hold up as well as expected.

Bruce said you have to look at if you have any base course or sufficient depth. On Beaver Run Road we ended up adding aggregate. There are other processes being used now instead of the cold in place recycling. There is full depth reclamation and things like that. Bruce thinks the best thing to do is look to see if there are bad areas where there is a sub-base issue and then repair the sub-base and potentially just mill like we did on 8th Street for the sewer project and if there’s a sufficient base put an overlay on it. Certain areas and certain streets had very little base in them. Years ago Iron Street was done with soil cement. Grant said that Coal Street was done with soil cement also.

Nicole said her intentions were to get together with Bruce in early June to put together some sort of road program or street resurfacing plan according to our budget.

John said he talked to Al today to see what the prognosis is for Penn DOT to come in and patch the holes on Mahoning Street at the edges where the park is and at 9th Street. They did some patching on 9th Street but for the amount they did they might as well not have done anything.

Nicole said she will talk to them about it. She has also talked to Tom Rogal at Penn DOT who told her they are looking at doing North & South streets also after the ADA ramps are complete.

Light & Power Committee - Helen - Chair, Joe - Co-Chair - Nothing

Sewer Committee - Bessie - Chair, Helen - Co-Chair - Nothing

Public Works & Recreation - John - Chair, Scott - Co-Chair - He already mentioned talking to Al about pothole patching and they have it scheduled. They just have to wait for Mother Nature to cooperate.

Acceptance of Officials Reports

Councilors Kreitz/Rehrig made the motions to accept the official's reports as presented and all were in favor with no questions or objections.

Acceptance of Accounts Payable

Councilors Rehrig/Kreitz made the motions to accept the accounts payable as presented including the additional bills and all were in favor with no questions or objections.

Addendum to Agenda

Action on request from Relay for Life to "paint the town purple" May 31 to June 1, 2014

Councilor Kreitz/Flickinger made the motions to approve painting the roadway with washable paint only but would not allow ribbons on utility poles but they have no problem with tying them to trees or other poles and all were in favor with no questions or objections.

Motion to allow the Pyramid 5K Run June 22, 2014 (same requests as last year)

Councilor Flickinger/Kreitz made the motions to allow the race with the same requests as last year provided they use washable paint this year and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel and Litigation

No Executive Session was needed.

Motion to Adjourn the Meeting

Councilors Rehrig/ Flickinger made the motions to adjourn the meeting at 8:30 PM and all were in favor. Meeting adjourned.

Brenda L. Koons