

August 25, 2014

The regular meeting of Lehighon Borough Council was held in the Municipal Building on Monday, August 25, 2014. The meeting was called to order at 7:30 PM by Pres. Grant Hunsicker. Members in attendance were: Helen Torok, Joe Flickinger, John Kreitz and Bessie Bauchspies, Darryl Arner, 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: No one.

Pledge of Allegiance

Guest Speaker: Scott Everett – Delaware & Lehigh National Heritage Corridor

Mr. Everett was present to discuss the trail connectivity behind Castle Grill and over to Weissport. Councilor Rehrig would like Penn DOT to leave the traffic light at the Weissport Bridge as it will affect the trail. President Hunsicker said we can check with Penn DOT to see if they will do it but said the borough will not pay for it.

Nicole asked if there are enough accidents to warrant the signal staying. Chief Biechy said it depends on the time of year. There are a lot of fender benders and the light works well now but thinks that might change when the bridge is complete.

Mr. Everett said they will put signage in at the McCall Bridge as part of the project. They will have a global DEP permit for canal work. They have issues with Long Run blowing out water line so this will make it easier with maintenance. Arman is aware of the issue. Mr. Everett needs a letter from the borough in support of this and one from Water Authority.

Mr. Everett also asked if we have a name for the Mahoning Creek Trail behind Public Works down to Lehigh Drive. There is a DCNR grant for signage along the creek bank. No one was sure of the name. Could have been issued with ownership, railroad right-of-way is there, the court gave part of it to Hartman years ago so we may not own all of it Bruce said. He isn't sure where to find it recorded. It would have to be researched.

Guest Speaker: Tim Dow & Josh Esposito, Barry Isett & Associates – Update on Code Enforcement, Zoning UCC

Josh said that Ordinance 2010-588 was not adopted regarding Building codes but suggests it be adopted. Councilor Rehrig does not want to raise fees to the residents. Josh said that anything under 1,000 sq. ft. would not require a building

permit or inspections. This would lessen the cost to residents. President Hunsicker told them to do a draft and bring it back.

Josh then asked if the monthly reporting format was ok and if they required them to make any changes or additions. Council is ok with the way their department is doing things.

Josh also reminded council their firm has an active grant writer who can help the borough with grants for free.

Then he brought up that Tamaqua holds public meeting for contractors in the building process and wanted to know if we would like to do that here. There is no fee the borough just has to advertise the meetings. Council wants to do that.

Nicole said that Josh and Tim asked to be here to be sure council was ok with the job they were doing. Councilor Rehrig said their firm was the best they ever had and the rest of council agreed.

Council brought to Josh and Tim's attention that the property at 226-228 N. 7th Street is full of Carson blocks and other junk and looks like the set of Sanford and Son.

HEARING OF PERSONS PRESENT

Dick Gombert of 251 S. 9th Street wanted to thank Public Works for patching Birch Alley between Iron & Alum Streets. He does think it's a shame that the borough doesn't have a paving machine and that the guys have to use shovels to put down 18-20 tons of material.

Ed Conarty of 235 Coal Street reminded council of June 1996 and the safety of taxpayers' money referring to the Annex. The first floor of that building was to be occupied by the police and borough employees but isn't. Mr. Conarty said he was ejected from a meeting by the police and recently did a Right-to-Know request for information he had also asked for back in 1996 but didn't get the same results and some leases were renewed before they were expired. How is that possible?

APPROVAL OF MINUTES

Regular Meeting of May 19, June 23 and Special Meeting of June 18, 2014

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

NEW BUSINESS

Request from Matthew DeWitt Miller to build 6 benches for use at the bocce ball court as his Eagle Scout project

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

Motion to advertise ordinance pertaining to snow removal on sidewalks

Councilors Kreitz/Torok made the motions to advertise the resolution and amend other ordinance to keep consistent with the 48 hours time frame and all were

not in favor. Councilor Rehrig is ok with the amendment but voted no on not requiring a shoveled path where no sidewalks exist. He feels that residents should be required to shovel a path even if they don't have sidewalks. It's a safety hazard to have children walking in the street because a resident didn't shovel because they don't have sidewalks. He wonders if the ordinance should be changed to require residents to have sidewalks. The solicitor said council can mandate it. President Hunsicker asked how that would be done. It will put an undue hardship on residents to put in sidewalks. What are we going to do with people who have a hill or banked yard? Councilor Arner asked how we can enforce any of it when the businesses don't do their sidewalks either.

The ordinance will be advertised.

Motion to advertise Snow Ordinance 618-2014 pertaining to plowing, fines and declaring a snow emergency

The solicitor said the calling of a snow emergency is defined by the borough code.

Councilor Rehrig feels the fines are too cheap. It costs the borough more money to remove the piles of snow created by the residents and thinks all 3 fines should be \$100 each.

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

Motion to change the employment status of Logan Hine and Randy Kunkle from seasonal employment to part time employee

Councilors Arner/Flickinger made the motions to change status provided they do not work more than 20 hours per week and all were in favor with no questions or objections.

Motion to award highest bidder of 2006 police Ford Crown Vic

Councilor Rehrig/Kreitz made the motions to accept the bid from Albert Molinaro and all were in favor with no questions or objections.

Discussion on permit parking for the 2 lots at Keystone Alley and changes to Parking Ordinance

This item was discussed and removed from the agenda.

Discussion on Sale of Real Estate - 1st & Carbon, Summit Avenue, 4th & Bridge, Millway

Solicitor Nanovic said before anything can be done a resolution needs to be adopted. Council also needs to consider having an appraisal done. A title search and deed description will have to be done for the advertisement. You will need to find an auctioneer.

Nicole asked if the alley at Millway will need to be relocated.

Councilors Kreitz/Rehrig made the motions to have these items investigated and brought back to the September meeting and all were in favor with no questions or objections.

Discussion/Action on the grant submission proposal from the Carbon County Area Agency on Aging

This item was discussed and removed from agenda.

Approval of submission of grant application for the Local Share Account funds for the Upper Park Improvements

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

Discussion/Action on the 2015 Ford Utility Police Interceptor & Equipment (\$37,020.65 + equipment) and Financing (3.789%)

Nicole said this was the high end of financing. The vehicle would be delivered in December 2014 and the first payment would be in April of 2015.

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

Discussion on the purchase and funding of a loader

Nicole said the cost is \$153,000 for the loader and \$150,000 for the Sno.go attachment. Liquid Fuels money can be used toward this item and the General Fund would pay the rest. The down payment would be approximately \$28,000 for a 6 year lease without the snow blower attachment. This will be a 2015 budget item.

Discussion/Action on the proposal of a Gehl Track Paver in the amount of \$6,900

Councilors Kreitz/Bauchspies made the motions to purchase and all were not in favor. A roll call vote was taken with Councilor Flickinger voting no and the rest voting yes. Motion carried.

Discussion/Action on Storm Sewer project at 4th & Cedar

Bruce said the issue is on the corner by JTNB. The Fire Company Social Club is looking to do a sidewalk project along with 2 other properties on the other side. To do the storm sewers will mean ADA upgrades. He did inspect the area on Friday and internally they are collapsed at JTNB. The West side of 4th Street has a sewer odor from a 6' terra cotta pipe and soap suds. They are investigating this. On the Northwest corner a cement block is holding up the grate. All 4 are in very bad shape. Two of the inlets should be below the bid threshold. We can replace them with box inlets back from the corners to allow the ADA curbing.

Councilors Rehrig/Torok made the motions to prepare the bid specs for all 4 corners so they get fixed and all were in favor with no questions or objections.

Discussion/Action on amending ordinances on Planning Commission and Zoning Hearing Board

Nicole said we can't seem to fill the Zoning Hearing Board. There should be 5 members and we currently have 3. In the near future we will be down to 2 members. We have advertised to fill the board but there seems to be no interest. One thought is to amend the number of members for the Planning Commission from 7 to 5 and ask 2 members from planning to move over to the Zoning Board. However, we have just recently gotten a full board on the Planning Commission. The solicitor agreed that this could be done by amending the ordinances.

Council decide to talk to the boards to see what their thoughts are on this item before proceeding and to advertise the vacancies on the Zoning board again.

Request from Robert Zellner to use fire escrow account for EDU hook up

The solicitor said this is an unusual request but since he is asking for a lateral and not an EDU so the request could be granted.

Councilor Rehrig/Kreitz made the motions to allow Mr. Zellner to use his fire escrow for the lateral hook up.

Unfinished Business

Continued discussion on the masonry work required on the Annex and funding options

Council discussed looking into paying off the loan and selling the property. The loan will be paid off in 2016. Councilor Flickinger is interested in selling the property because we are losing \$17,544 according to the budget. Nicole has found out yet if it can be sold or not. She is still working on it. Councilor Torok wants to wait until we have the facts compiled before discussing this item any further.

Discussion on Brickman Proposal

This item was removed from the agenda. Too expensive to outsource.

Officials Reports

Borough Manager

Nicole went over her report. She touched on the Downtown Assessment. In order to have assistance from the PA Downtown Center a survey needs to be completed if council wishes to move forward. Councilors Rehrig/Flickinger made the motions to have the survey done and as time permits restructure LDIC similar to the 150th Committee and all were in favor with no questions or objections.

Borough Engineer

Bruce is working on the Stedman Avenue specs but it is taking longer than expected with the 8 ADA curb cuts. He said we will miss the 2014 paving season. He suggested doing it in early 2015 and bidding the project out in January. He needs to

ask Al if Stedman was televised or not so Bruce knows if the sewer line will need replacing or not.

Bruce will start the inlets at 4th & Cedar Streets tomorrow. He will be using Liquid Fuels for the inlets and pipes and the Fire Company and JTNB will be paying for the ADA curbing and use their own contractor.

Police

Brian noted that in his monthly report the 33 traffic stops is incorrect. It should read 65 traffic stops.

With school in session they will be doing the Aggressive Driver Program again. AAA sent flyers reminding drivers to watch out for students. They handed those out. Brian said this was the best 1st day of school in over 30 years.

Officer Arner is planning a movie night in the amphitheater for next year's National Night Out.

Car #6 will have the camera installed. There are still some bugs to work out.

Mayor

The possible installation of stop signs at 5th & Coal Streets has been looked into and was found to be a good idea. The ordinance needs to be amended first before they can be installed.

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

Fire Chief

Absent

President of Council

Nothing

Solicitor

Requested an Executive Session.

Treasurer

An additional list of bills was provided for approval.

Committee Reports

Finance and Administration – Darryl – Chair, Bessie – Co-Chair –Darryl will be meeting with Cathy to go over the investments.

Streets, Buildings and Codes – Joe – Chair, Darryl – Co-Chair – Joe reported that there is a site distance problem at 7th & Mahoning. The old salt shed is dangerous and should be taken down. Councilor Arner commented on the number of potholes not filled.

Police, Fire and Safety – Scott –Chair, John – Co-Chair – Scott said that the police will be given “Big Blue” to use and if funds are available then a new vehicle for borough use will be purchased. Councilors Rehrig/Kreitz made the motions to have the red

blazer advertised and sold to the highest bidder and all were in favor with no questions or objections.

Councilors Rehrig/Kreitz made the motions to hire Bruce Broyles as a full-time police officer for the borough. He is currently 3rd on the list and a part-time officer for the borough. All were in favor with no questions or objections. Chief Biechy thanked council for this because there are more meth arrests than ever lately. Having another officer will be a big help and Officer Broyles will be an excellent addition to the department.

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 - Nothing.

Acceptance of Officials Reports

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

Motion to go into Executive Session for Personnel

Councilors Flickinger/Kreitz made the motions to in at 11:25 PM and all were in favor.

Motion to go back into Regular Session

Councilors Arner/Flickinger made the motions to go back into Regular Session at 8:35 PM and all were in favor.

Action on items from Executive Session

None.

Motion to Adjourn the Meeting

Councilors Rehrig/Arner made the motions to adjourn the meeting at 11:30 PM and all were in favor. Meeting adjourned.

Brenda L. Koons
Borough Secretary