

March 24, 2014

The regular meeting of Lehighon Borough Council was held in the Municipal Building on Monday, March 24, 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, Darryl Arner and Scott Rehrig.

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

Pledge of Allegiance

1st CDBG Public Hearing

See attached sheet

HEARING OF PERSONS PRESENT

Jane Seblin, Esquire sent a letter to Solicitor Nanovic regarding the tattoo parlor on 4th & Iron Streets. The neighbors where she lives asked her to draw up a case against the business pro bono. She isn't sure how much council is aware of this issue. They feel the writing on the window saying "Fresh till Death" is inappropriate because of the bus stop that is there.

In her letter to Solicitor Nanovic it was noted that they plan to bring a law suit on behalf of the residents in the area. She spoke to the zoning officer Tim Dow about this and the next day a "stop work order" was posted at the establishment. She may be wrong but she is under the impression the stop work order is pending a health inspection only. Attorney Seblin felt it was best to come to the meeting to voice their concerns and make council aware that they are putting together a legal memorandum of how to stop it. The words "Tattoo Parlor" are not in the Zoning Ordinance at all.

President Hunsicker presented Donnie Rehrig with a weather vane thanking him for his many years of service as both the mayor and past council person.

APPROVAL OF MINUTES

Regular Meeting of May 20, June 24, July 22 and August 26 and Special Meeting of June 3, 2013

The Borough Secretary had 1 correction for the May meeting minutes under Hearing of Persons Present, Councilor Kogut made the motion to clean up behind Castle Grille but she omitted putting the Councilor Rehrig seconded the motion.

Councilors Rehrig/Kreitz made the motions to approve the minutes with the correction to the May 20th minutes added and all were in favor. No questions or objections.

NEW BUSINESS

Motion to accept Dale Traupman's resignation from Planning Commission

Councilors Arner/Bauchspies made the motions to accept the resignation with a letter of acceptance and all were in favor with no questions or objections.

The Borough Secretary told council that she had 2 residents who were willing to go on the planning commission. They were Alan Young and Henry Long, Sr.

Councilors Kreitz/Arner made the motions to appoint Mr. Young and Mr. Long and all were in favor with no questions or objections.

Motion to grant 90-day waiver to Sal Melo for his Ochre Street project

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

Approval for SS Peter & Paul School to hold their annual 5K race/fun walk May 24, 2014(same requests as last year)

Councilors Rehrig/Flickinger made the motions to approve the 5K and all were in favor with no questions or objections.

Approval for the 2014 Senior Games to be held May 6-15 using the Recreation Center and Baer Memorial (same requests as last year)

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

Motion to donate \$250 to the United Veterans Organization

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

Motion to put a \$50 ad in the Carbon County Sports Hall of Fame

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

Approval of ACE Grant support letter to help enable the Lehigh Area School District determine the financial feasibility of an elementary center

The Borough Manager said we will state that they appear to generally conform since we do not have any final plans or any plans for that matter. So we will just say they appear to conform to our comprehensive plan and ordinances. Councilors Rehrig/Torok made the motions to send support letter and all were in favor with no questions or objections.

Adoption of Resolution No. R-004-2014 appointing the Chief Administrative Officer of the Police and Non-Uniform Pension Plans

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

Adoption of Resolution No. R-005-2014 to become a member of the Carbon County Council of Governments and appointing the voting and alternate representatives

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

Approval of purchase of \$30 gift certificates for Administrative Professionals Day

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

Unfinished Business

None.

Officials Reports

Borough Manager

She provided council with a detailed memo on ordinances that should be up for discussion. There is a draft of the Knox Box Ordinance that was requested by Mr. Flickinger and the fire department, Permit Parking for the 2 lots in Keystone alley and Alcoholic Beverages on Borough Properties ordinance along with a Quality of Life Ordinance that had been recommended by Barry Isett's and Associates.

The borough Manager had quite a few questions and comments on the ordinances. She asked council if they wanted to go over any of them, form a committee to discuss them or vote to advertise them tonight. Councilor Rehrig wanted to advertise them. Solicitor Nanovic said regarding the Knox Box Ordinance Mr. Flickinger had given some comments. The draft ordinance is the one Solicitor Nanovic had prepared for Lower Towamensing Twp. Mr. Flickinger said the fire department looked over it and liked part of it but also liked part of the one they found from Walnutport. Solicitor Nanovic said he now has to look over it, redraft it and get it back to the fire department for comment before advertising it.

Nicole brought up the parking ordinance and the concerns from neighbors, the fee for the spaces. She recommended sitting on this one until certain things can be worked out. As for the Alcoholic Beverage Ordinance we will need to draft an application to include all that is required by the ordinance. She had checked with the insurance company and we are ok on that side of things.

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

The borough manager and solicitor advised council to hold off until the next meeting to advertise the Quality of Life Ordinance due to some minor changes needing to be made. Barry Isett & Associates have been using this in Tamaqua and have seen good results. Councilor Rehrig told the solicitor to make the fines higher when going

over the draft ordinance.

Nicole received a cost estimate for the L&P building. She received terrible news from the state pertaining to the Lower Park project. We will now need to reapply under different criteria. LDIC will need to be restructured and reformed hopefully following suit with our downtown assessment.

She is working on the time clock and ID tag policy with the solicitor, treasurer and HR person and hopes to have that ready for the next meeting.

Frank Potoczak representing Bike Nite asked council if they had any questions about the event. Council asked that the event be moved back to the park area on 2nd Street since it will not be under construction. The cost to supply power to the Grove was rather high to install it out there. Frank asked what the estimate total was. Nicole said \$2,300 for materials and another \$11,000 for man hours and equipment based on the existing transformer and wire capabilities. Frank thought that was rather high. He said we keep going back and forth and advertising has already started. Council said the beer garden would still be allowed from the sidewalks on 3rd Street to the pavements on the park side of 1st Street. Nicole said the treasurer looked back over 4 years and the cost to the borough is about \$3,000 for the event per year. Frank had to talk to Ty before a decision could be made.

Councilor Rehrig asked Frank to explain the 2-day event. Frank wanted a rain date because of the year it poured around 5 p.m. and a great deal of money was lost because of it. He doesn't think they are in a position to hold a 2-day event but a rain date would be good. Council told Frank to let them know what they decide.

Borough Engineer

Absent

Police

Officer Lawrence said they were given a \$1,400 Aggressive driving grant that started today and goes until May 4th so there will be extra patrols out during that time period.

Mayor

The mayor commented on the lack of "button pushing" and pointed out that he and the police did indeed press their buttons.

He read the Arbor Day Proclamation.

President Hunsicker asked if there was anything else under the mayor and Councilor Torok said under the Light & Power – they met with the group. One thing that was decided was that they discussed the general procedures and some of the situations that she was concerned about but didn't see anything on was what happens when there is an emergency and what sort of redundancy exists in the borough and at the hospital. She found out that there was none and of course cost is a factor and the

responsibility of the hospital is basically theirs with the single line in. We know where we stand but whether we should stay in that position is another story. Another thing she'd like to mention is that Lonny gave her a really nice walk through on what is done on the department and some of the things that she asked about he had already questioned in the past and it's just a matter of council coming up with approvals on some of these and the finances to do them. Her background is heavily in disaster planning and recovery involving businesses and municipalities. She shared that with them and if ever she can ever help in any way in the future she is certainly willing to do so. Joe also explained a few things on her list which by the way reinforced by her workshop that she went to several months ago. She has the list and went through it with Nicole after meeting with the group. She is meeting with the light and power group and addressing numerous issues and at her convenience Councilor Torok will meet with Nicole to see how she can help with that.

As for the sewer committee – she and Bessie met with them and what was concluded was that on the water easement it is a onetime situation it is not a situation that will be approved and grandfathered. So therefore on the request that we had from a property owner to have it go to the next owner was denied. When the next owner takes over they will have to be responsible for their own water and sewer.

On CCMA board – they thoroughly reviewed with council the sexual harassment and the suggested outline that everyone should follow with regards to that.

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 – Council was glad to see that we are moving ahead with Barry Isett in preparing that ordinance. Darryl also commented on the number of complaints from neighbors who know of vehicles with expired registrations and inspections parked in back yards if the police would like a list. Officer Lawrence said he would like the list.

Streets, Buildings and Codes – Joe – Chair, Darryl – Co-Chair –he met with Tom. The bathroom has been redone at the Annex. Al is looking into an estimate for repointing the Annex. After looking at the assessment survey for the revitalization he got with the representative from Barry Isett and they were looking into minimal

maintenance ordinances and or annual inspections to bring the downtown back to what it was as well as the bypass area and he has been working very closely with Tim to get that taken care of.

Police, Fire and Safety – Scott –Chair, John – Co–Chair – he commended the fire department for a job well done at the fire on Bridge Street last week. The police department should also be commended for their help during the incident. Councilor Rehrig also had a request from Mr. Henry Long to move the monument on the bypass for Sgt. Stanley Hoffman from where it currently is to maybe across the street. Mr. Long would like to meet with council to discuss this and Councilor Rehrig agreed they would meet with him to see what could be done.

Light & Power Committee – Helen – Chair, Joe – Co–Chair – she had already given her report earlier.

Sewer Committee – Bessie – Chair, Helen – Co–Chair – she said Councilor Torok already covered her report for her.

Public Works & Recreation – John – Chair, Scott – Co–Chair – he said he has been meeting with Brenda and Brian to revise our snow ordinance. With a few more meetings we should have it ironed out and have something for council in a month or so.

Acceptance of Officials Reports

Councilors Rehrig/Arner 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 Kreitz/Rehrig made the motions to accept the accounts payable as presented including the additional bills totaling \$6,269.44 and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel and Litigation

Councilors Rehrig/Kreitz made the motions to go into executive session at 8:11 p.m. for reason of personnel and litigation and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Rehrig/Kreitz made the motions to go back into regular session at 9:05 p.m. and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Rehrig/ Kreitz made the motions to adjourn the meeting at 9:09 PM and all were in favor. Meeting adjourned.

Brenda L. Koons