

February 23, 2015

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, February 23, 2015. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Helen Torok, John Kreitz, Joe Flickinger, Bessie Bauchspies, and Darryl Arner. Scott Rehrig was present electronically via Skype.

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

Pledge of Allegiance

HEARING OF PERSONS PRESENT

None present.

APPROVAL OF MINUTES

Regular Meeting of January 26, 2015

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

NEW BUSINESS

Motion to ratify February 6, 2015 agenda

Councilors Rehrig/Bauchspies made the motions to ratify and all were not in favor. A roll call vote was taken with Councilors Kreitz, Arner, Bauchspies, Rehrig and Hunsicker voting yes; Flickinger and Torok voting no as they were not present at that meeting. Motion carried.

Motion to advertise the ordinance amending BOCA and firearms

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

Motion to issue conditional approval on the Lehighon Stadium Improvements

The borough engineer recommended granting conditional approval based on his letter of February 18th; less items #2 & 3 under General Comments. He has received revisions to the plans that address those two comments. Item #1 – granting a waiver to Sections 2.107 and 3.204 of the SALDO which the planning commission recommended doing back on September 10, 2014. He doesn't recall council acting on the waiver request but you might want to do so now.

Solicitor Nanovic said you typically have a motion to grant the waivers #1 and #4 of Mr. Steigerwalt's letter then separately a motion to grant conditional approval.

Councilors Rehrig/Flickinger made the motions to grant the waivers to items #1 and #4 of the SALDO comments in Bruce's letter and all were in favor with no questions or objections.

Solicitor Nanovic then asked Bruce if he is correct in thinking the conditional approval is waiting for final approval from the Water Authority and the Light & Power department. This is being looked at right now. Councilor Flickinger said he spoke to Lonny last week

about the project. Lonny was very concerned with the location and the size of the power lines near the metal bleachers.

Councilor Rehrig asked the solicitor if the size of the parking spaces have been rectified or not. Bruce said they received zoning approval for that already. Scott asked if the spaces are regular size and Bruce said yes. They were granted variances to 7 sections of the zoning ordinance as well as height requirement for the press box on the grandstand on one side of the field. It exceeded the maximum height of 35 feet and were given a 45 foot waiver.

Councilor Rehrig then asked which entrance would be the main entrance as far as the stadium was concerned and Bruce said he assumes both entrances but probably primarily the 9th Street entrance.

Councilor Rehrig asked if the old piping was addressed. Bruce said there is a gas main that goes through the property that was going to be relocated but has since been relocated back to where it currently is. UGI has basically sent correspondence to the borough approving the location of the gas line through the property.

Councilor Rehrig asked about a letter of intent for the retention pond on their behalf. Bruce was confused. Scott said for the excess run off from the stadium. He thought they originally were going to use drain fields that would run the water to the old detention ponds. Bruce said the storm water is being handled through two underground storage areas. The one storage area is going to be pumped to a spray irrigation field located on the south side of Union Street as extended. A relatively small portion would go to the existing detention pond on the property. It would only be in winter months when the spray irrigation doesn't function. The underground storage basin they designed will basically be pumped back and flow to the detention pond they designed after the storm event passes.

Councilor Rehrig asked if they still wanted to consolidate the properties into one deed. Bruce said yes that is one of the conditions and they prepared a deed description consolidating the properties and recorded that deed already basically in violation of the SALDO because council didn't give final approval of the lot consolidation plan prior to recording the deed. They received all their zoning approvals. They have been to the planning commission 3 or 4 times. They have their NPDS permit from the Carbon County Conservation District approving their erosion and sedimentation control and stormwater. Bruce also reviewed the stormwater. Bruce's letter of February 18, 2015 outlines the outstanding issues which are approvals from the Water Authority, Sewer Authority for the 6 EDU's. Payment has been made but we are awaiting receipt of the planning module exemption request from PADEP, Light & Power Department approval. The final plans will have to be signed and sealed by the engineer/surveyor responsible for the plans. The consolidation deed has been provided. We are going to make them rerecord the deed with the approved plans referencing the approved plans and the date it was approved by the borough. The plans will have to be signed and notarized by the owner. They have to enter into a development agreement with the borough. This is required of all developers.

Bruce said #2 & 3 under General Comments have been satisfied. However, #1 pertains to stormwater ponding in a few locations after heavy rain. The school district's engineer

says the school is aware of and accepts responsibility for this and accepts any responsibility for any issues that arise. Bruce feels an acceptance statement and/or a hold harmless clause holding the borough harmless should be added to the Certification of Ownership and Acknowledgement of the plan. The solicitor agreed.

Councilors Rehrig/Kreitz made the motions to table this item until the school district has everything 100% in line and all were in favor with no questions or objections.

Approval to advertise in the Sports Hall of Fame (\$50 for ½ page ad)

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

Motion to accept Act 101, Section 902 Recycling Development & Implementation Grant

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

Motion to approve the \$13,396 cash match

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

Motion to appoint Brenda Koons as project officer for the grant

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

Discussion/Action on former pump station property and the request to purchase or lease

This item was tabled for executive session.

Unfinished Business

Motion to adopt Ordinance 622-2015 for the amendment of the odd/even parking regulation

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

Follow up on the Repository Sale of 134/136 North 1st Street

Nicole said after reviewing the property and the violations, the property is land locked it doesn't make sense for the borough to take it over. We need to make a motion that we are no longer interested and have it put back on the repository list.

Councilors Rehrig/Arner made the motions to put the property back on the repository sale list due to the borough having no further interest in the property.

Officials Reports

Borough Manager

She met with the project engineering firm for the upper and lower park projects. She updated the funding and project scope of available funds along with additional grants we can go after. We currently have \$637,500 with \$142,500 cash match.

She met with Jim Henderson regarding the downtown revitalization and since held a reorganization meeting. The next meeting will be March 12th.

Nicole included the notes on the pump station. We are anticipating having it down by Wednesday. She requested we pay Nimaris upon completion of the project.

Councilors Rehrig/Arner made the motions to approve the \$10,000 payment to Nimaris upon completion of the project and the satisfaction of the borough engineer and all were in favor with no question or objections.

Borough Engineer

Nothing

Police

Brian said the department is moving in the right direction and all is well.

Mayor

In the last 2 months of going around the borough after the storms he feels the police and the public works departments are working well together and doing a great job.

Fire Chief

Chief Mriss said they were awarded a state grant for \$14,285 to be used for rescue equipment and to finish the showers and locker room in the new station.

President of Council

Grant Applauded the borough crews for doing an excellent job handling the storms so far this winter.

Solicitor

Nothing.

Treasurer

Nothing.

Committee Reports

Finance and Administration – nothing.

Streets, Buildings and Codes – Joe said Tim has been working on the middle school project and there are 2 projects going to the zoning hearing board. The Quality of Life Ordinance has been generating several tickets and a few were paid off this morning while on the phone with Tim.

Police, Fire and Safety – nothing.

Light & Power Committee – Helen and Joe met with Lonny. They had a tour of the new building. Joe said they have been working on the floor drain repair in the old building and finishing the new building. Lonny has 2 projects set for this year – Bridge Street & Iron Street. He has some LED lights that he will be trying possibly on 2nd Street. He is looking at other vendors for demo lights to see which will be most effective before purchasing.

Sewer Committee – nothing.

Public Works & Recreation – John said he has been in touch with Al during every storm. The guys are doing a good job and John believes the moral is good in that department. He and Scott sent some gratuities down to them to express their thanks for what they do and the positive feedback is starting to show.

Scott asked if any progress was made on the solar panels for the swimming pool. Nicole said there was preliminary discussion with Tom. She will follow up with him tomorrow.

Acceptance of Officials Reports

Councilors Arner/Flickinger 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/Arner made the motions to accept the accounts payable as presented and all were in favor with no questions were objections.

Motion to go into Executive Session for Personnel

Councilors Arner/Flickinger made the motions to go in at 7:40 p.m.

Motion to go back into Regular Session

Councilors Arner/Flickinger made the motions to go back in at 8:30 p.m.

Action on items from Executive Session

Motion to post internally for Assistant supervisors and working supervisors for Public Works and Light & Power

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

Motion to Adjourn the Meeting

Councilors Kreitz/Arner made the motions to adjourn the meeting at 8:32 PM and all were in favor. Meeting adjourned.

Brenda L. Koons
Borough Secretary