

April 25, 2016

The regular meeting of Lehighton Borough Council was held in the municipal building on Monday, April 25, 2016. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Lisa Perry, Joe Flickinger, Jared McEvoy, Helen Torok, Darryl Arner, Scott Rehrig and Jr. Councilor Addison Howland.

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

Pledge of Allegiance

GUEST SPEAKER – Michael Yoo – Proposal on Mahoning Creek Trail

Mr. Yoo presented his proposal for a wildlife sanctuary near the Mahoning Creek Trail – see handout. He is a professional river guide. He does a yearly clean up along the creek and river. There is a large amount of trash and litter cleaned up there each year mainly on the 443 side of the creek. He is proposing an outstanding park for the residents to use. It won't be for sports but for nature related education for all ages.

The idea was discussed before when the Heilman Dam was slated to be removed but nothing ever came of it. Mr. Yoo said the D&L's focus according to Scott Everett is to build spur routes from the town to the trail going from Bowmanstown or Jim Thorpe. Mr. Yoo is proposing to build a trail from East Penn Street along the creek and a walking path forming a loop along the river.

Mr. Yoo said there are over 60 species of birds nesting along the river yearly. Girl Scout and Boy Scout projects can be done there and an outdoor living classroom can be created. He said Chris Kocher walked through there this week and is checking to see if there is money available to shore up the stream and vegetation. He also reported a sewer issue with soap suds behind the Beacon Diner. He believes it is coming from the laundromat across the street from the diner. It was a single incident.

Mr. Yoo said the groups on board with this idea are the D&L, LASD, and the Wildlife Conservancy. He asked the borough to designate land for the future as a park for grants. This way the project can be done without or with minimal taxpayer money. He is requesting the borough cut grass more frequently along the trail to the old sewer plant.

Councilor Rehrig asked what the length of the trail was. Mr. Yoo said from behind the old oil company near the cement blocks at the old sewer plant to East Penn Street. President Hunsicker said he thinks Mr. Hartman owns part of that property. Mr. Yoo was then asked if he had insurance and funding in place for the project. He said he is working through the D&L as this is in its infancy and is trying to create a group. He will act as the director. Council told Mr. Yoo to meet with Solicitor Nanovic and Nicole to discuss the legalities and then come back to council.

HEARING OF PERSONS PRESENT

None

APPROVAL OF MINUTES

Regular Meeting of March 21, 2016

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

NEW BUSINESS

Motion to approve the Baer Memorial Pool list of seasonal employees and two others listed on the addendum

Councilor Rehrig asked if all new hires are required to complete drug testing, clearances and physicals. The solicitor said yes but only new hires are required to do this. If the employee worked last year they are not considered new hires and do not need to fulfill these requirements again.

Councilors Rehrig/Torok made the motions to approve including the two additional employees listed on the addendum and all were in favor with no questions or objections.

Motion to approve Randall Semmel's resignation from the Zoning Hearing Board

Councilors Arner/Flickinger made the motions to approve the resignation with a letter of appreciation being sent and all were in favor with no questions or objections.

Approval for Officer Matt Bender to attend State Police Cadet Camp July 10-15, 2016 and to wear the Lehighon Police Department uniform at graduation

Councilors Rehrig/Perry made the motions to table this items and requested Chief Biechy see if other officers are interested in attending and all were in favor with no questions or objections.

Motion to approve Lehighon Athletic & Education Foundation to hold a 5K Walk/Run Saturday, October 1, 2016 on Route 902 & 9th & Union Street

Councilors Rehrig/Flickinger made the motions to approve providing they meet with the police department first and have all other conditions met with first. All were in favor with no questions or objections.

Motion to hire Monty Szukics as part-time laborer for Public Works pending pre-employment physical and screenings

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

Motion to approve the ABB proposal for the DPU Replacement totaling \$40,535

Nicole said the Distribution Protection Unit was installed in 1996 and is starting to fail. Some were done a few months ago and we are looking to replace the rest.

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

Adoption of Ordinance 630-2016 adopting Articles of Agreement for the COG

Councilors Rehrig/Flickinger made the motions to adopt the ordinance and all were in favor. Nicole said policies will follow.

Discussion on the Fire Inspection Ordinance

The borough manager and fire chief met on April 4th and looked over the ordinance for commercial properties. They are focusing on visual items. Do we pay or not for inspections? These inspections can open the door to other code violations. There are 5 firefighters that hold the required certifications and 2 additional firefighters who will obtain them.

Councilors Rehrig/Flickinger made the motions to continue looking at/working on the ordinance and all were in favor.

Motion to approve Resolution R011-2016 RE: Sale of personal property

Nicole said there were no bids received for the palm tree or ice cream machine. The resolution will allow her to sell them.

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

Motion to approve purchase and financing of 2017 SUV Police Utility vehicle

Councilors Rehrig/Arner made the motions to approve the purchase with option #2 and to advertise the bid for sale of old car #3 and all were in favor with no questions or objections.

Discussion/Action on Labor for Interior Fit Out for the Light & Power Building

Nicole said she received 2 written proposals – Woody Frey provided an estimate and C. E. Ankowitz provided a base figure. Councilor Rehrig asked why L&P needs 2 break rooms. They already have a break room in the old building. President Hunsicker said the original break room was slapped together years ago. Councilor Rehrig said it is only used for 30 minutes a day and he wants the L&P department to meet with the L&P committee to explain why they need a second break room.

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

Motion to approve Change Order #2 in amount of \$1,500 for water lines to drinking fountains and hose spigots

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

Motion to approve Kobalt payment application #2 in amount of \$287,509.50 for the Colonel Jacob Weiss Park project

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

Motion to approve Land Development Improvement Agreement with LPN Real Estate Investments, LLC

Nicole said this is pending approval of the revisions by herself, Bruce and Attorney Nanovic. Councilor Flickinger asked what development and was told Corner Cone.

Councilors Rehrig/Arner made the motions to approve pending approval by the borough manager, engineer and attorney and all were in favor with no questions or objections.

Motion to grant approval to the following waivers for the LASD Primary/Elementary Center project: #3 Section 2.107 Preliminary/Final Plan; #8 Section 3.206 Storm pipe size; #12 Section 3.604.a Paving materials; #13 Section 4.201.a Plan scale; #14 Section 4.202.a 11 Location Map scale

Councilors Rehrig/Perry made the motions to approve the waivers and authorized Attorney Schwab to work with Attorney Nanovic on the outstanding items on the project and all were in favor with no questions or objections.

Motion to grant conditional approval to Lehigh Area School District for Primary/Elementary Center based on the April 11, 2016 review letter of Bruce Steigerwalt

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

ADDENDUM

Motion to hire Julia Frey and Sarah Gable as Baer Memorial Pool seasonal help
This item was included with motion under New Business Item #1.

Motion to approve the list of additional bills totaling \$4,396.83
This item will be included in the Approval of Bills later on the agenda.

Motion to approve Rep. Doyle Heffley's request to hold a 5K Run/Walk on June 1, 2016
Councilors Rehrig/Flickinger made the motions to approve the run once approval from the borough manager and police chief are obtained.

Motion to advertise draft ordinance Prohibiting Trucks on Gypsy Hill Road

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

Unfinished Business

Continued Discussion/Action on Surveillance System Proposal from VistaCom

Brian said he attended a demonstration hosted by Bosch. He said the cameras are phenomenal and plans on purchasing the base equipment for the department. Councilor Flickinger wants it put in next year's budget. Nicole said the \$52,000 original cost is blended into the current budget over a few different line items because the purchase is not just for the police department but for the entire borough. Councilor Rehrig respects Councilor Flickinger's thoughts but made the motion to go ahead with the purchase now and Councilor Arner seconded the motion. All were not in favor and a roll call vote was taken with Councilors Perry, McEvoy, Torok, Rehrig, Arner and Hunsicker voting yes and Councilor Flickinger voting no. Motion carried.

Councilor Rehrig brought up the utility office software and new equipment for that office again. He asked for permission to have Nicole look at and purchase the software and move forward with the remodel of the billing office to make it safer. Nicole said it will take a few months to choose the software and the plans Bruce drafted are partially finished and can be moved on. Council agreed she should get the ball rolling and get this done.

Councilor Rehrig also asked council at their leisure to tour the borough to see the condition of sidewalks, curbing, signs and dwellings that need attention. There is a lot to see.

Officials Reports

Borough Manager

Nicole went over her report. She said the RACP grant is finalized. Gypsy Hill Road will be paved May 4th; weather permitting. Public Works base repairs on 4th Street will soon be ready for the slated street project.

Borough Engineer

Nothing.

Police

Chief Biechy thanked council for the new vehicle and the smoke detectors are up and working.

Mayor

He read the proclamation for Arbor Day April 29th.

Fire Chief

Chief Mriss said April 17th the fire department & Red Cross again went door to door checking to see what residents had working smoke detectors and installed smoke detectors in homes that did not currently have them. A total of 129 were installed. He thanked all those who volunteered.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

She requested a \$125,000 transfer from L&P Fund if needed and provided the Lower Park bills totaling \$54,291.22.

Councilors Flickinger/Rehrig made the motions to approve the park bills and transfer as needed with no questions or objections.

Committee Reports

Finance and Administration – nothing.

Streets, Buildings and Codes –nothing.

Police, Fire and Safety – Councilor Rehrig said police and fire departments are doing an exceptional job. He asked when the fire truck is replaced will the old one be sold? Chief Mriss said no. It is used for brush and ISO right now and will be used as a trade-in for the grant for the new ladder truck. The grant process will take about a year.

Light & Power Committee – Councilor Torok had nothing to report. Councilor Rehrig commented that it is unknown what this department does and when they do it. It's impossible to get into the building. He would like to know where they are and what they are doing. The L&P department needs to have modifications made and they need to be more accountable.

Sewer Committee – nothing.

Public Works & Recreation – Councilor Rehrig said there are area in the borough with high weeds and grass growing again. He said they have improved greatly and all departments except one are functioning on all cylinders and working well. Everyone needs to be held accountable and now is the time to make that happen.

Councilor McEvoy said he would like the parks to be made safer for the children and residents of the borough.

Acceptance of Officials Reports

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

Motion to go into Executive Session for Personnel

No session required.

Motion to go back into Regular Session

Action on Items from Executive Session

Motion to Adjourn the Meeting

Councilors Rehrig/Flickinger made the motions to adjourn the meeting at 8:22 PM and all were in favor. Meeting adjourned.

Brenda L. Koons
Borough Secretary