

May 23, 2016

The regular meeting of Lehighton Borough Council was held in the municipal building on Monday, May 23, 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

HEARING OF PERSONS PRESENT

Many members of the fire department were present.

Mike Mriss, Assistant Fire Chief heard there was an item on the agenda and wanted to comment on it. He cited different items of the SOG, National Fire and their strategic plan pertaining to the new fire station. They built a station to serve the borough for years to come. In August 2012 the station was redesigned because it went over budget. The committee decided to finish the important projects instead of the interior projects because they were promised to occupy the building.

He feels the police department is at a crossroad. He is hope that they plan for now and the future should they decide a new building is in their best interest.

Steve Ebbert, the building project manager for the fire station project wanted to let those present know that the fire department realizes the police department needs more room. He said the fire department planned over 16 years before the fruition came to be. The building the police are now in was designated to house horses. He knows they are doing the best they can with what they have been given. The police and fire departments work well together. Steve hopes council will plan out a building that is best for the department to grow and that will work for them now and in the future. He suggested contacting H2M and Butz as both companies have all the files and plans for the building. Steve offered to work with the police department and council on planning how to move forward with the police department. He also stated that council approved the outlay plan of the fire station and is a motion is made tonight to take the whole bay to please make plans for practical use with the hopes the fire department can have the bay back for their use once the police department has their ideal station. The fire department has worked with the police department for half of the bay.

Doug Nothstein said that his department has already lost a bay in the planning of the fire station and now lose response time when called out because of it adding time to victims and residents getting help.

Jerry Honchen, former fire chief in the 80's asked that if the police department takes all of #2 the headstone on the police department building never be removed but instead kept as a remembrance of those who passed through the department.

APPROVAL OF MINUTES

Regular Meeting of March 21, 2016

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

NEW BUSINESS

Motion to adopt Ordinance 631-2016 prohibiting truck traffic on Gypsy Hill Road

Councilor Rehrig asked where the \$25 fine came from and Solicitor Nanovic said it came from the other part of the ordinance.

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

Motion to approve Application for Payment #3 in the amount of \$123,606 for the Colonel Jacob Weiss Park Project

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

Motion to adopt Resolution R-012-2016 approving additional principal payment on the Fire Station Construction Loan

Councilor Rehrig asked for an explanation of the loan and if it was a misuse of funds. Nicole said it the retainage of the RACP funds. An extra payment will be made to repay the L&P loan and no it is not a misuse of funds.

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

Motion to adopt Resolution R-013-2016 signers for the DCNR Grant – new basketball courts at Baer Memorial

Councilor Perry asked why move the courts? She was told to better manage the use of them and to get them out of the Grove since everyone feels they are the cause of much of the problems there. This grant is in addition to the one already submitted and if we are awarded, it will cost the borough less to have the courts installed.

Councilor Rehrig made a motion to adopt the resolution but the motion died for lack of a second.

Councilor Torok wanted this item tabled until other items were dealt with first.

Motion to Resolution R-014-2016 Amending Water Authority Articles of Incorporation extending terms of Corporate Existence

The solicitor said they Water Authority wishes to borrow money and this is the first step. The resolution will go 50 years from the date signed in 2016. This will allow the Water Authority to borrow the money they need for their project.

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

Motion to appoint Judy Wingert to the Shade Tree Commission

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

Motion to approve 2nd Annual Snowflake 5K and 1 Mile Remembrance Walk December 10, 2016 at 9am

Councilors Rehrig/Flickinger made the motions to approve and all were in favor.

Motion to adopt Purchase /Procurement Card Policy

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

Discussion/Action on de Gruchy Masonry proposal for Phase 1 Masonry repairs at the PFC. Clyde Houser Annex Building

Nicole said this item is in the budget for \$20,000. Three contractors were contacted. The \$19,300 fixes the insurance issues and the cost will max out the budget. Nicole doesn't know if the other contractors will phase the project or not.

Councilors Rehrig/Arner made the motions to accept the proposal and have the work completed and all were in favor.

Discussion on request of Police Chief to utilize entire bat of Engine CO. #2

Chief Biechy said Steve Ebbert was the only one decent enough to call him today. Steve agrees the police department is lacking space as he outlined to council earlier. Chief Biechy wants what is best to help his department grow. Whether it is expanding the space they are currently in or looking at other off site places. This was just his way of starting the dialogue. He does agree that a new building is to be built Steve's experience would be invaluable but all this is up to council.

Chief Biechy said his department has always been thrown somewhere. They have never been given a place where the building fits their needs. Councilor Flickinger asked about the appraisal of the property next door and Nicole said the person is not returning her phone calls so we are assuming she is no longer interested.

Councilor Rehrig asked if the county gives money to build police stations. Commissioner Nothstein was present as a member of the fire department at the meeting and said if the county had money to do so they would certainly would but the County has its own space problem.

Councilor Flickinger commented that things are always fixed like a material bleed with only a band aid nothing permanent. The infrastructure of the roads are falling apart but money was spent on the Annex building and a hydro project that never went anywhere. He feels if none of these things were done we would have more money.

President Hunsicker said the committee needs to meet with the police chief. Chief Biechy said he understands how the fire department feels. He also sees how his department is put on the back burner and never given what they need. Needs change and his department is not functioning and doesn't want to diminish the progress. He said the off-site location (old sewer plant) is deteriorating and was recently broken into making it unusable for their storage needs. They only have one secure room and that's the evidence room to store evidence and their ammunition and now the very successful medication drop box is taking up space there. Chief Biechy also needs to have the in car cameras need to download evidence manually to a thumb drive causing new issues they didn't have before. Things are changing rapidly and we need to be able to keep up with them in the most efficient way possible.

Councilor Arner suggested both departments get together and communicate in a productive way without a war. Councilor Torok strongly agreed.

Councilor Rehrig is still not clear why the doors and exits needed to be enlarged on both sides when the aerial is not there. He said we were told the department needed a new truck but the old truck is still there. The old rescue truck was given to Bowmanstown then given back to the borough.

Assistant Fire Chief Mriss said that it is being used in the meantime for a grant. This was done so not all apparatus is bought at one time. This way it is purchased over a 20-30 year period. Once the grant is received then the pumper can be sold.

Councilor Torok said that the equipment should be inventoried and depreciated. Crime is escalating; not going down. She sees the police department needing more space than they ever realized and today we are facing reality so what can we do - move forward.

Chief Biechy said he knows the two departments are upset with each other but there has been no breakdown of response to each other's departments when assistance is needed.

Councilor Flickinger gave a little bit more information on the FEMA grant. They received over \$350,000 in FEMA money. The current pumper is used as leverage along with the aerial truck to increase their chances of the \$1million dollar grant.

Steve Ebbert said they reduced the size of their project. Their idea was to have a dedicated maintenance bay. To do a tie into the police building would require bringing the building up to code. The rear bay is used for this now and a swing gate was installed with the fence. This is common sense use of the space. To apply for grant a motion from council is required. If this project is to move forward he feels a motion for the police department to look for grants.

Chief Biechy has been looking for options but they are limited and difficult to apply for.

Councilor Rehrig wants a formal written document sent to the council president and the borough manager of who will be on the committee to meet the Police, Fire and Safety Committee.

Motion to approve the purchase of 2016 CAT Cold Planer (milling head)

Nicole said the cost is \$25,100 with \$10,000 coming from the Sewer Fund, \$7,100 from Highway Aid, and \$8,000 from the General Fund.

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

Discussion on MS4 Compliance

Nicole said the borough is a permittee and need to come into compliance. Kris Kunkle will go to inspector school and she will look into the cost of mapping and engineering. Nicole explained the best management practices and the minimum control measures.

Bruce wanted the fire department to be put on notice that if they see a discharge that gets into a storm sewer to give the information of what went into the sewer in case it needs to be controlled in the creek. EPA is cracking down and we fall under Allentown's urbanized area.

Chief Mriss said EMA is notified now. Bruce said that's good but the borough now needs to be informed as well. It was explained to council the importance of MS4 and some of the costs associated with it.

Councilors Rehrig/Flickinger made the motions to send Kris to school at a cost of \$800 and all were in favor with no questions or objections.

ADDENDUM

Motion to hire Alex Rubin and Kaylee Glanz as lifeguards pending pre-employment requirements

Councilors Arner/Rehrig made the motions to hire providing all pre-employment requirements are completed and all were in favor with no questions or objections.

Motion to approve Schull David Elementary School request to hold a Zombie Zoom 5K Run/Walk on Saturday, October 22, 2016 8 a.m. to Noon

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

Motion to approve Peaceful Knights request to hold a Crusade for the Homeless on Saturday, July 16, 2016 8 a.m. to Noon

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

Motion to approve the additional list of bills for the General Fund totaling \$6,023.66, Lower Park Project totaling \$126,050.35, L&P Fund totaling \$1,102.92

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

Unfinished Business

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

Councilor Flickinger said he met with Lonny and the old breakroom will be used for storage.

Councilor Flickinger made the motion to approve C. E. Ankowitz proposal of \$16,350 to move the project forward. The motion died for lack of a second.

Discussion/Action on Matt Bender or another officer attending Camp Cadet

Chief Biechy said other officers said other officers were not interested. He called Camp Cadet and was told they specifically asked for Officer Bender because he has been there and does not need to be trained. This item is to be brought back in June.

Officials Reports

Borough Manager

Nicole went over her report. She explained the change of carriers to council. We will be moving to MRM Trust, VFIS and PA Government Underwriters. She said she needs a motion to move forward with the insurance renewals. Councilors Rehrig/Flickinger made the motions to approve her moving forward and all were in favor with no questions or objections.

She has received the DEP permit and has scheduled the Ashtown Bridge project. Gypsy Hill Road is completed. 2016 CDBG application is complete for ADA curbing on street projects. The accountability issues discussed at last month's meeting were addressed. She is looking to hold the Lower Park dedication on June 24th.

Borough Engineer

He is scheduled to meet with contractors for 4th & Cedar Streets curb work. He is busy doing inspections, land development agreements and working on plans for the bypass.

Police

Nothing.

Mayor

He reported on Arbor Day and said he held a police meeting to straighten out a few issues in the department.

Fire Chief

Nothing.

President of Council

Nothing.

Solicitor

The solicitor said council needed to go back and finish item #4.

Councilors Rehrig/McEvoy made the motions to adopt and all were not in favor. A roll call vote was taken with Councilors Perry, Flickinger, Torok and Arner voting no and Councilors McEvoy, Rehrig and Hunsicker voting yes. Motion defeated.

Treasurer

Nothing.

Committee Reports

Finance and Administration - nothing.

Streets, Buildings and Codes - Councilor Flickinger commended Public Works for Gypsy Hill Road job well done.

Police, Fire and Safety -nothing.

Light & Power Committee - nothing.

Sewer Committee – nothing.

Public Works & Recreation – nothing.

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 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

Councilor Rehrig requested to go into executive session for real estate at 8:10 p.m.

Motion to go back into Regular Session

Councilors Rehrig/Arner made the motions to back into regular session at 8:18 p.m.

Action on Items from Executive Session

Motion to Adjourn the Meeting

Councilors Rehrig/Flickinger made the motions to adjourn the meeting at 8:20 PM and all were in favor. Meeting adjourned.

Brenda L. Koons
Borough Secretary