

May 22, 2017

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, May 22, 2017. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Lisa Perry, Jared McEvoy, Joe Flickinger, Helen Torok, Scott Rehrig and Darryl Arner. Absent: Jr. Councilor Addison Howland and Fire Chief Patrick Mriss.

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

Pledge of Allegiance

Public Hearing – CDBG 2017 1st Public Hearing

See attachments.

GUEST SPEAKER: William Moyer – Update on Digital Billboard

Mr. Moyer wanted to give a status update on the sign. The pole and the structure is up and the sign is on, inspections complete, power is connected. He is waiting for the techs from the company to come out and initialize the computer for the first time and he can flip the switch and turn it on. It took a little while but it has all come together and he has been working on slides for borough advertisements and slides are ready for the farmer's market. He is hoping to have it running for Memorial Day weekend.

HEARING OF PERSONS PRESENT

Jerry McAward of the Lehighon Outdoor Center wanted to update council on how his building is progressing. The footers were poured today and the uprights should be going in Wednesday.

Kim DePue - 499 South 9th Street was present to follow the progress on the traffic light down on 9th Street.

APPROVAL OF MINUTES

None

NEW BUSINESS

Motion to approve Lehighon Athletic Booster Club's request to hold Community Day at Baer Memorial Park Saturday, July 15th (rain date July 16th)

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

Motion to approve Lehighon Takedown Club's request to hold annual car show around Lower Park Sunday, August 20th (rain date August 27th)

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

Discussion on Municipal Separate Storm Sewer System (MS4) and Public Comment

Nicole said as part of the MS4 permit requirements we are required to have a public education outreach program. Part of the education is to allow the public to participate in the decision making processes with development, implementation and update of all programs

related to MS4. Our stormwater system is not connected to CCMA which means our stormwater is not treated before it is discharged in the Lehigh River and Mahoning Creek.

We have received a draft stormwater management ordinance which has been provided to the Borough Engineer and herself for comment. Prior to adoption the public will have an opportunity for input and feedback. The borough has started allocating funding and resources to the MS4 program. We are investing into equipment for GIS mapping of our system. Our GIS coordinator will be working with our engineer. That process has already started. We are also required to do a sign in sheet that is going around. Please sign it. It is extremely important for the public to be aware of illicit discharges which may make their way into the storm water system. These discharges include paint, oil, carwash waste water, illegally connected sanitary waste water. The public can report illicit discharges to the borough. We are in the process of updating our subdivision and land development ordinances along with our zoning ordinances to cover the most recent best management practices and minimum control measures of our MS4 permit. So at this time she opened the discussion up for questions or comments.

Councilor Arner asked about the people who have their rainspout going down to the grass then to a pipe going out to the gutter and sump pumps and wondered if that was legal because it's just rain water. Nicole said yes rain water is fine.

The Borough Engineer said that we submitted an advanced waiver request at the end of last year to DEP hoping that we would get a favorable decision and would get a waiver. Back in March we got an email that basically said that because we have had a permit for the past 4 years we will probably not get the waiver but we will not be required to prepare a pollution reduction plan. Our pollution is not sediment, phosphorus or nitrogen. The cause for the impairment of the Lehigh River is something we don't control. It is acid and metals caused by mine acid drainage. We don't add to the impairment but we still have to submit the permit and we can submit the waiver application again. The big thing and the more costly thing to comply with would be the pollution reduction plan. The mapping is going to be quite extensive. We are required to map every municipal, state highway and private stormwater inlet, manhole and BMP so we are going to have to go back and locate all the BMP's that are going into the school out there. The BMP's at the medical building, the Leighton Outdoor Center and North 1st Street. They will all have to be mapped so if a discharge is reported we can track where to look for it and hopefully stop it before it gets to the Mahoning Creek or Lehigh River. We have until September 16th to get this done.

Nicole said we are trying to work towards meeting the requirements of the MS4 permit and there are a lot of them. Some above and beyond anything we can get into but we are trying to simplify the program. She has about half of it drafted at this time for all of our requirements which will come to council for approval. MS4 is a huge topic across the state.

Motion to adopt Ordinance 637 amending and replacing Chapter 188 regarding smoking and tobacco use

Solicitor Nanovic said the only change is expanding the definition of tobacco products.

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

Motion to approve a reduction in letter of credit for the Jim Thorpe River Sports/Lehighton Outdoor Center Land Development in the amount of \$53,730

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

Motion to approve waiver on Key Private Bank Funds

Nicole said we had a change in bank structure from 1st Niagara to Key Bank. The portfolio has been moved into a different portion of Key Bank. After evaluating the structure of our investments they are recommending the sale of \$360,000 in assets in our funds. The sale was going to create a loss. So despite their recommendation we are able to move forward with a waiver in which they will manage the funds. However, they won't make recommendations for purchase, sale or retention. We would do that based on them saying that it is available. At time of maturity we are guaranteed to receive the principle on the accounts if we keep them if they cannot be sold. We will continue to work on the sale of these funds when the market is in our favor.

Nicole also told council that there is no investment policy in place. She has several examples on her desk. She will bring a draft to next month's meeting for discussion. So for right now it's up to council to approve the waiver or to sell the funds. Councilor Rehrig asked what the fees are and Nicole said 25 basis points.

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

Discussion/Action from Parryville Borough to join and participate in the Joint Municipal UCC Appeals Board

Councilors Rehrig/Flickinger made the motions to allow Parryville Borough to join and participate and all were in favor with no questions or objections.

Motion to advertise ordinance regulating food trucks

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

Unfinished Business

Follow up on traffic signal at 9th and bridge Streets

Nicole said on May 12th we received a follow up email from PennDOT with the revised concept plans for both 9th & Bridge Streets and 9th & Union Streets for our review and input. The plans were available for review. The 2 spaces in front of Blocker's would be removed but parking to the north would be preserved. She wanted to bring this back for council's comments or questions. She wants to know if we are ready to move forward with the paperwork.

Councilor Rehrig asked if we heard back from the school district on if they are going to put any money aside and was told no by Attorney Nanovic.

Councilors Rehrig/Arner made the motions to table this item until we here back from the school and all were in favor with no questions or objections.

Discussion/Action on Dilly Dogs Request

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

Motion to approve request to hold Crusade for the Homeless 5K walk/Run July 8th with fire police assistance for traffic control if available

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

Motion to approve Police Services Contract for events

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

Continued discussion on Temple Alley

Nicole said that we agreed to do nothing further until we heard from Mr. Morrison as far as him taking the initiative to petition the neighbors. He came in with a template of his thoughts for a petition. She forwarded it to our solicitor who recreated it and provided a letter. Solicitor Nanovic said he did not feel Mr. Morrison's draft petition was sufficient to save time and effort if Mr. Morrison wanted to proceed.

ADDENDUM

Discussion/Action on the acceptance of Chevrolet Pick Up Truck donation from Lehigh Fire Company #1 to Lehigh Fire Department

Councilors Flickinger/Perry made the motions to accept the donation and all were in favor.

Motion to approve the additional list of bills totaling \$6,291.64

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

Motion to hire Cassandra Schafer for summer employment at the Baer Memorial Pool Food Stand

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

Motion to appoint Lynette Kariotis to the Parks & Rec Board

Councilors Perry/Flickinger made the motions to appoint and all were in favor.

Councilor Rehrig asked if she would appear before council so they could meet her. He asked if anyone knew her. Councilor Perry said she is new to the community and feels we should be glad she wants to volunteer her time and not make her appear before council.

The secretary for the Parks & Rec board was attending the meeting and was asked if she had met Lynette. Autumn said no but she had attended a Music in the Park event and inquired about the committee but no one knows her personally.

Councilor Perry withdrew her motion. Councilors Flickinger/Rehrig made the motions to table the recommendation pending the Parks & Rec Board's approval after their next meeting.

Officials Reports

Borough Manager

Council received her report. She had nothing further to touch on. Councilor Flickinger asked that the borough secretary make sure she was caught up on the minutes as she was a couple months behind. The borough secretary responded that unfortunately it was due to trash cans and trying to get those all handed out. She said she was halfway done with March minutes and would have April's done also.

Borough Engineer

Nothing other than he is continuing to do various inspections on the projects going on throughout the borough.

Police

Chief Biechy said the department finished all of its updated training on CPR, first aid, AED. The Narcan training has been completed and as of Saturday we had one use. In addition we've done some training for basic drug interdiction and our overdoses are up.

Mayor

Mayor Mase said they had a meeting last week with all the police officers and Jerry McAward was there about traffic he may get and how he plans to handle it. They are trying to figure out a way to make it safe.

Fire Chief

Absent

President of Council

He thanked the Lehigh Downtown Initiative for the great event they did on Saturday. He hopes the farmer's market has continued success.

Solicitor

Nothing.

Treasurer

Nothing.

Committee Reports

Finance and Administration – Darryl Arner, Chair; Lisa Perry, Co-Chair – Darryl said that the Lehigh Band was in Disney World. They were invited to march in their main street parade. It was really an honor. He wondered if they could be asked to be part of the lineup and maybe ask the band boosters to sell refreshments. He thinks it would be a wonderful concert and a way to honor them. Nicole said the concert series is set but she believes we had issues with them in the past. Autumn said maybe we could ask them for early spring next year. They don't really book anything for summer due to the kids going off to college.

Streets, Buildings and Codes – Joe Flickinger, Chair; Darryl Arner, Co-Chair – Joe said Kris is waiting for good weather to start paving.

Police, Fire and Safety – Scott Rehrig, Chair; Jared McEvoy, Co-Chair – Scott would like the borough manager to send a letter to the girls track team who won the championship.

Joe said 4 more volunteers that completed their firefighter 1 pro-boards examination.

Light & Power Committee – Helen Torok, Chair; Joe Flickinger, Co-Chair – Joe said the LED Street Light project has started on Bridge Street. In the next week or two they will be installing the sprinkler system in the new building.

Sewer Committee – Lisa Perry, Chair; Helen Torok, Co-Chair – nothing.

Public Works & Recreation – Jared McEvoy, Chair; Scott Rehrig, Co-Chair – Jared is hoping for a prosperous year at the pool. It is the gem of our community.

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/Perry made the motions to accept the accounts payable and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel & Real Estate

Councilors Rehrig/Arner at 8:01 p.m.

Motion to go back into Regular Session

Councilors Rehrig/McEvoy at 8:25 p.m.

Action on Items from Executive Session

None.

Motion to Adjourn the Meeting

Councilors Flickinger/Perry at 8:26 p.m. Meeting adjourned.

Brenda L. Koons
Borough Secretary