

September 25, 2017

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, September 25, 2017. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Lisa Perry, Jarod McEvoy, Joe Flickinger, Helen Torok, Scott Rehrig, Darryl Arner and Jr. Councilor Addison Howland. Absent: none.

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: Carbon County Office of Planning & Development – 2<sup>nd</sup> CDBG Public Hearing

David Bodnar had attended the meeting for the 2<sup>nd</sup> Public Hearing for CDBG. See attachment.

United Veterans Organization – David Bryfogle

Mr. Bryfogle thanked council for allowing them to continue working of the Veteran's Park along the bypass. He is now asking to be allowed to install 6 flag poles donated by the Orioles Club at the park for each branch of the military including the POW flag and to place an anchor on a 22' above ground slab of concrete there to represent the Navy. They hope to have the monument done by Veteran's Day.

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

Lehighon Downtown Initiative – Update on 2017 Rocktoberfest Event

Ryan Saunders, a member of LDI provided council with a layout of Rocktoberfest. They will be having 7 bands, over 70 vendors, a beer garden, bounce houses and a huge Chinese Auction and live music in both parks.

They are aware of the wedding being held at Bethany church that Saturday and asked permission for the Annex lot be designated for wedding guests only and to close off the alley next to the church for additional parking.

He had a question on the Food Truck Ordinance. The vendor forms were filled out prior to adoption of the ordinance. He would like to request the fee be waived for this year only. Solicitor Nanovic suggested waiving the fee but to have the vendors fill out the form. Mr. Saunders assured council that all food vendors have the necessary insurance and food licenses. All proceeds will go to Breast Cancer Awareness.

Councilors Rehrig/Flickinger made the motions to waive the vendor fee only, the electric fee stands but have the vendor forms filled out and allow only wedding guests to park in the Annex parking lot.

Councilor McEvoy said he will be doing a walk through with Richard Armbruster to confirm the layout will work for the Fire Police.

HEARING OF PERSONS PRESENT

JoAnn Keiser of 118 Bridge Street came before council to complain about a major drug problem next door to her home. It goes on constantly day and night and the weekends are really bad. She addressed this problem to the Chief of Police because there are between 30-40 people going in and out of the neighbor's house. The Lehighon football players are

going in there in uniform getting drugs. She sees women with strollers going in there getting drugs and coming back out. She sees people pulling in front with toddlers in the car getting the toddlers out and going in and out of the neighbor's house.

She is getting sick from the smell. She has been to the hospital numerous times. She has allergies, she is having chest pains. 3 a.m. on Saturday/Sunday morning her whole house smelled like skunk pee; it woke her up. It's really bad. She has been in the hospital numerous times (6-8 times in the past 2 years). The hospital has record of her. They thought she was having a heart attack. It's anxiety.

The retaliation is constant. They pound on her walls and stomp on the floor when she calls the police. They do this all through the night to agitate her. They have scratched her car, flattened her tires, burned the interior of her boyfriend's car with a blow torch, busted his mirror and cracked his windshield. She claims this was all reported to the police chief and he knows all about it.

She has been to numerous people and no one is helping her. She doesn't know where to go anymore. She said she spoke to the DEA, Agent Carolina, state police, Carbon Drug and Alcohol, the detective at the county courthouse and Rep. Heffley's office. All of them pushed her back to the Lehighon Police Department. She doesn't know who to talk to anymore and this is why she is here. Her dog is sick from the smell. She has had to take the dog for steroid shots because he is even sick from it. She needs help. No one wants to listen to her. She feel like she is on drugs from the smell of drugs in her house and the chemicals in her home. She said they throw stuff into her yard for the dog to eat. This has been going on for many years since this person has moved into the other half of her house.

The police told her to sell her house and move if it's that bad. Why should she do that when she has lived there for over 30 years? Why can't something be done to stop the drugs being sold from that house and to stop the young people going in and out all day and night.

Councilor Rehrig told Ms. Keiser that they are listening to her. Chief Biechy said he is well aware of the complaints. Ms. Keiser said they race up the hill doing wheelies on motorcycles. Can there be a speed limit sign be posted? Councilor Rehrig asked if she spoke to the police about the speed. She said yes and was told by the officer not to complain so much. Chief Biechy said he had asked her who the officer was and she would not say. Ms. Keiser now said it was Officer Svetik. Councilor Rehrig told her to tell everything to the police. Ms. Keiser doesn't feel she should be punished.

Jerry McAward of the Lehighon Outdoor Center wanted to let council know his project is progressing slowly. He now has electric inside and hoping to have things move faster from here on out.

#### APPROVAL OF MINUTES

##### Regular Meeting of August 28, 2017

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

#### NEW BUSINESS

##### Motion to change status of Jonathan Tracy from probationary employee to permanent employee as of August 14, 2017

Councilors Rehrig/Flickinger made the motions to change Jonathan's status and all were in favor with no question or objections.

Discussion on request from Lehighon Water Authority on vacant position on board

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

Discussion and approval on the MetroTek assignment of the contract

Nicole said there was a change over with MetroTek causing a change in some of the paperwork. She was supposed to have it today but does not. We have been waiting for the performance and payment bonds since council approved the contract. Solicitor Nanovic said the company was either sold or in the transition of being sold. Council can approve assignment of the contract once it has been approved by himself and the borough manager.

Councilors Rehrig/Perry made the motions to give general approval once the contract is reviewed by the solicitor and borough manager and all were in favor with no questions or objections.

Follow up discussion on the demolition of the former sewer plant

The minutes from the Lehighon Sewer Authority were provided to council stating their recommendation to have the plant demolished.

Councilors Rehrig/Arner made the motions to demolish it due to the liability and safety issues of the plant and the Public Works supervisor stating the fence is repeatedly cut once it has been repaired and the doors and windows are smashed. Councilor Rehrig is requesting the borough solicits bids for the demolition of the building and all were not in favor.

Councilor Flickinger asked if the borough was going to allocate funds to build a training facility. President Hunsicker said no. Why would we do that? Councilor Flickinger said so we would have somewhere to train. President Hunsicker asked Mr. Mase who he spoke to about this. Mr. Mase said Commissioner Gerhart. There was a heated discussion between Councilors Flickinger and Hunsicker over if training is allowed at the new site in Nesquehoning.

Chief Mriss was asked if they use the building for practice and was told they do not go inside as it is not safe but they do ladder practice on the outside of the building.

Nicole said this has been discussed since 2012. The doors have been welded shut and it is still being broken into.

Councilor Flickinger agrees it needs to come down but said we need something for emergency services as a whole for training in this borough and funds need to be allocated for this. We now have the entire school district in the borough. He agrees the building needs to come down but wants funds allocated immediately to construct a training facility in this borough for its residents. He said to use capital reserves. \$64,000 was just spent that wasn't budgeted for this year or take it from the Light & Power Fund. We are already taking \$1 million a year now so why not take more.

Councilor Rehrig said the police and fire chiefs need to meet to discuss this.

Nicole wanted to clarify that we will advertise for bids not quotes and was told yes by Councilor Rehrig.

A roll call vote was taken. Yes – Councilors Arner, McEvoy, Rehrig and Hunsicker; No – Councilors Perry, Flickinger and Torok. Motion carried.

Approval of 2018 Police Pension Minimum Municipal Obligation (MMO) in the amount of \$122,721

The borough manager said there was a decrease of \$30,990 from last year.

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

Approval of the 2018 Non-Uniform Pension Minimum Municipal Obligation (MMO) in the amount of \$177,799

The borough manager said there was an increase of \$4,148 from last year.

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

Discussion/Action on Resolution R018-2017 authorizing the execution of the second amendment to the 2013-2017 Non-Pool Energy Purchase Schedule with American Municipal Power, Inc. (AMP)

Nicole said we have two proposals. One is the blend and extend which would take the contract to September 1, 2017 thru December 31, 2027 with a price of \$61.86/megawatt hour. Our current pricing is \$73.51. Our annual savings from this would be \$533,358.

We also have a standalone extension for the term of January 2020 thru December 2027 at a cost of \$42.22 which will still give us savings.

Councilors Rehrig/Perry made the motions to go with the blend and extend price of \$61.86/megawatt hours and all were in favor with no questions or objections.

Discussion/Action on the approval of the second amendment to the 2013-2017 Non-Pool Power Schedule with blended pricing

Nicole said this is to approve the contract.

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

Unfinished Business

Continued discussion on Sewer Disposal System Ordinance

Nicole said this has been repeatedly tabled for further review. Is council really interested in this ordinance or not. We will need to research and budget for what this ordinance requires.

Solicitor Nanovic said this ordinance requires the I&I study requested by the Sewer Authority. We asked them to give us their comments to how gaining access to the homes would be handled and have received nothing from them.

Councilors Rehrig/Perry made the motions to table this item until the Sewer Authority comes back with their ideas for handling the ordinance and all were in favor with no questions or objections.

ADDENDUM

Motion to approve the additional list of bills totaling \$8,774.29

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

Officials Reports

Borough Manager

Council received her report. She said a \$1 million grant has been submitted for sidewalks on south 1<sup>st</sup> street, ornamental lighting and pedestrian improvements. The match for that grant would be approximately \$100,000 for professional services so there would be no match for the grant itself.

LSA approved the sale of the former pump station property to JVI, LLC. The contractor has been mobilized on the Ashtown Bridge project and the project should be completed by our next council meeting if not sooner.

Borough Engineer

He is working on surveying the property at 1<sup>st</sup> & Carbon Streets and on Summit Ave. & Ridge Alley. Only the field work needs to be completed yet.

Police

Chief Biechy said they held a car seat check thru their building. One car seat had to be replaced. About 8 car seats were checked which is average. The license plate reader is installed on car #3. It has been pretty proactive. The officers are enjoying using it. Just going by our ordinances they have ticketed 30 vehicles for expired registrations, taken about 10 license plates for insurance violations. A few people came in to thank the department for the ticket because they realized what the fine would have been had they been on the road.

The Facebook page is up and running. Councilor Perry needs to be publicly thanked for coming in to help get it up and running.

Councilor Flickinger asked why the department reports are not the same each month. Sometimes you put in what the officers are doing and sometimes you don't. Chief Biechy said he would look into that. He said it is being done and it should be coming through to council. He is not sure why it isn't.

Mayor

He said that as a former police officer he sits and listens to the person come in here complaining about the police department. People forget that this isn't a TV show where you solve a mystery in 30 minutes. If you look on your reports you will see the amount of drugs and alcohol that are being taken off our streets. Personally, he thinks they are doing a good job.

He also read the Public Power Proclamation.

Fire Chief

Chief Mriss said the week of October 9<sup>th</sup> is Fire Prevention Week. The Fire Department will be at the schools during that week doing fire drills and educating them on fire prevention. On October 12<sup>th</sup> from 6:30 -8 pm they will have the Open House for the community to come out and learn about fire prevention.

He also talked to Nicole about emergency preemption for the light at 1<sup>st</sup> & Iron Streets. It will cost about \$4,000 for the preemption and then the control box would need upgrades. Chief Mriss said he was told the light is being wired for the preemption now. Nicole said Lonny gave her a price of about \$14,000 per signal. When we can complete it, we will.

Chief Mriss asked for permission to apply for two grants. The first is the Carbon County Foundation grant. They are looking at outfitting the department with rescue gloves and a new Nomax hood to keep cancer causing particulates from getting through. The second one is the Annual Office of the State Fire Commissioner Fire and Ambulance Grant. They are looking at stabilization equipment for any type of rescue.

Councilors Rehrig/McEvoy made the motions to apply for the two grants under the supervision of the borough manager and all were in favor with no questions or objections.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

Nothing.

## Committee Reports

Finance and Administration – Darryl Arner, Chair; Lisa Perry, Co-Chair – Nothing.

Streets, Buildings and Codes – Joe Flickinger, Chair; Darryl Arner, Co-Chair – Nothing.

Police, Fire and Safety – Scott Rehrig, Chair; Jared McEvoy, Co-Chair – Scott thanked the police and fire department for a job well done and wanted to follow up on Act 172 of 2016. He wanted to let everyone know that Lehighton Borough will be doing it. He would like the solicitor to draw up his portion of what has to be done and the ambulance portion for what they have to do.

Chief Mriss said a draft ordinance is being drawn up and he will see that as he learns more he will let the solicitor and borough manager know of the progress.

Light & Power Committee – Helen Torok, Chair; Joe Flickinger, Co-Chair – Helen said a full report for CCMA has been provided. She wanted to touch on areas that have been neglected for some time. The health and problems of dumping grease into the sewer is going to cost the borough money. An investigation is ongoing and a report is expected to be given by CCMA. The grease is a very serious problem in the borough. Nicole said CCMA did invite council to tour the facility on Thursday at 10 a.m.

Joe said the traffic signal at 1<sup>st</sup> & Iron should be installed on Wednesday. Also the Public Power Week open house at the L&P building will be 11 a.m. – 2 p.m. on Wednesday, October 4, 2017.

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

Public Works & Recreation – Jared McEvoy, Chair; Scott Rehrig, Co-Chair – Jared congratulated the pool on a great year. He thanked the police, fire and public works and L&P departments for being at the “Meet the Fleet” event. He thought it was really cool and the Parks & Rec did an amazing job.

## 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 Rehrig/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 and Real Estate

Councilors Rehrig/Arner at 8:12p.m.

## Motion to go back into Regular Session

Councilors Rehrig/McEvoy at 8:22 p.m.

## Action on Items from Executive Session

## Motion to approve negotiation engagement letter for hiring Siana Bellwoar

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

## Motion to Adjourn the Meeting

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

Brenda L. Koons  
Borough Secretary