

February 26, 2018

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, February 26, 2018. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Lisa Perry, Jared McEvoy, Joe Flickinger, Darryl Arner, Autumn Abelovsky and Ryan Saunders.

Officials in attendance were: Borough Manager Nicole Beckett, Borough Secretary Brenda Kreitz, Solicitor James Nanovic, Borough Engineer Bruce Steigerwalt, Mayor Clark Ritter, Police Chief Brian Biechy and Jr. Councilor Addison Howland. Absent: Fire Chief Patrick Mriss attending a training.

Pledge of Allegiance

Guest Speaker – Bryan Smith of Barry Isett & Associates – Baer Memorial Improvements & Grove Master Site Plan

He wanted to answer any questions or give background information to council pertaining to the 2 DCNR grants for the Grove and Baer Memorial. Nicole said Brenda provided fact sheets for both grants in the beginning of the agenda packets.

Councilor Abelovsky had questions regarding the Baer Memorial project. She wanted to know where the multi-purpose field would be. Bryan said it is essentially the baseball outfield. She wanted to know if that area would be big enough for a lined soccer field and was told it would have to be looked at. Dimensions were not taken of the field.

She then asked about the steps down from the pool to the field. Will they be in the same location as they originally were? Bryan said 3 options were looked at – a fully ADA accessible ramps, replace the stairs or a combination of the first two options.

Councilors Abelovsky asked what the ADA parking involved and where would it be. Bryan said on what he would consider the West side of Baer Memorial would have ADA parking with a path to the basketball courts and in the future a new parking lot would be on the East side including both ADA and regular parking spaces.

Her final question was to know if the current sketch as it is could it be changed. Bryan said it could. Councilor Saunders asked if the center circle where the pavilion was would be made for parking and Bryan said no; it was not part of the project.

Bryan said the DCNR grant program is a highly competitive program and the borough has been pretty fortunate to receive two grants in the last round. Once they have funded your project through the planning process they are really there to help support you from that point all the way through development and construction.

Councilor Abelovsky asked if there would be any changes to the current football field and was told no. She then asked if there could be changes made and Bryan said no due to the scope of the grant.

Councilor Abelovsky asked what the purpose of putting additional basketball courts at Baer's. The borough secretary said it was to get the court out of the Grove and make that park a family oriented younger kid park and have the older kids at Baer's. Councilor McEvoy said the purpose was to be able to have basketball leagues formed at Baer's to create some revenue.

Brenda said everything at the Grove was geared for younger kids except the basketball court which seemed to be a problem a few years ago. That led to the thought of removing the court at the Grove put new ones in at Baer's where Tom could oversee what went on there by starting leagues, free use, better monitored. The Grove would become a family oriented park.

Bryan asked if we were able to proceed with the plan. Councilor Flickinger said that since the sketch can potentially be altered could we have a soccer field in place of the basketball courts? Bryan said we would probably have to go through some sort of process to do so. Bryan said it depends on what age groups are using the field are using the field to determine the dimensions the soccer field would need to be.

Nicole asked if council had any questions on the Grove Feasibility & Master Site Plan while Bryan is here. As of last month we were ready to go out for RFP's.

Dennis DeMara – Wildlands Conservancy

Mr. DeMara was present to answer any questions council might have on the Memorandum of Agreement on the agenda tonight. The agreement will allow the Conservancy to apply for funding for the Lehigh River access project. Since June we have spent almost \$20,000 investigating the feasibility of the access point for the project and it is feasible. The commissioner's want to give the borough 26 acres. We will meet with them March 8th to go over possible issue with the PUC going under the Norfolk Southern trestle. The MOU is to allow us to apply for the grant funding. The project will be 100% funded by the Palmerton Trustee Council and the PA Fish & Boat Commission. This is really rare. The borough must commit to maintain whatever is built along the river typically for 25 years.

Kevin Long - United Veterans Organization

Mr. Long wanted to let council know they are prepared to start on the Hometown Heroes Project this spring and will do the first dedication honoring a service dog April 7th at 11 a.m. at the Veteran's Memorial Park. He thanked the borough for its continued support of their projects.

HEARING OF PERSONS PRESENT

Tom Boyko of 136 Sgt. Stanley Hoffman Blvd asked borough council if they were willing to sell the piece of property in front of his business. The solicitor said the Borough Engineer should look into it when he is caught up on his other projects. Bruce said the survey has been done for the parcel in question. He said there are also sewer and water inlets under the parcel that need to be reserved by easements for the borough.

Councilor Flickinger asked Bruce how far along he was with his other projects. Bruce said he has work to do on 1st & Carbon Sts. yet. They are looking for a monument up there. Public Works was going to look for it but winter hit and it hasn't gotten done. Bruce has some issues with a piece of property attached to a property over at Summit Avenue & Ridge Alley. It's a question of title that he has to meet with the solicitor about. His projects are about 80% completed. MS4 mapping and Stedman Avenue specs are the new priority. He is also working on the vacation of Lentz Avenue.

Councilor Abelovsky asked if it's possible to get this piece of property on the "to do" list and Bruce said that property has been surveyed already. That was done many years ago.

Bruce said there would need to be easements as there are possibly storm sewers and sewer lines under the property so the borough could get to them.

The borough manager and solicitor suggested putting it out for bid. Mr. Boyko said he would be interested in purchasing the parcel to expand his business. He would use it for parking only.

Councilor Saunders wanted to know the dimensions of the property before deciding. He requested this item be brought back to the March meeting.

Chris Walck of 523 Coal Street asked if there were any plans to put a traffic signal at 9th & Bridge Streets. Nicole said we are going through the process with the school district.

Mr. Walck then asked if the curbing at Poplar Alley and Cypress could be painted yellow. He said the sight distance is an issue when you come down the alley and want to turn left onto Cypress Street when Blue Ridge is getting a delivery.

He then commented about the garbage company not emptying the garbage cans or they are not completely emptied or left sitting in the parking spaces.

APPROVAL OF MINUTES

Regular Meeting of January 10, 2018 & Regular Meeting of January 22, 2018

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

NEW BUSINESS

Motion to approve annual \$50 ½ page Sports Hall of Fame ad

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

Consideration on the approval for the 2018 Ragnar Relay Route through the Borough on June 16, 2018

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

Approval of Unity Electric payment request #3 for \$46,512 – Iron & Bridge Street Upgrade Project

Councilor Flickinger asked where we stand on the project. Nicole said the Certificate of Substantial Completion had been sent out and the punch list items were getting completed. There will be a few things that must wait till spring until the weather improves.

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

Consideration of request from Leighton Boys & Girls Band to waive Building Permit fee

Alyssa Schoch, the band director told council they are in the process of renovating the bathrooms at the band hall. They are a non-profit and rely on donations and volunteers.

Nicole said we have never done this in the past but it is up to council. Part of the fee is for the third party fees for the inspections. She said the borough does try to

cooperate with the band hall as much as possible for all they do for the community but for something like this the borough would have to pick up the costs. The request was denied.
Motion to proceed with advertising Ordinance 644 amending parking regulations on Bridge Street

Nicole said the draft ordinance was a bit off. It should be on Bridge Street, the North side from Union Street West 160 feet.

Councilors Perry/Saunders made the motions to proceed after the draft ordinance is corrected and all were in favor with no questions or objections.

Approval of resolution R007-2018 setting the 2018 rate of contribution to the police pension fund

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

Approval of Resolution R008-2018 appointing Police Pension Committee

Chief Biechy said they are in the process of bringing Officer Arner in to this and take himself off the committee as he will possibly go in the drop program in August.

Councilors Flickinger/Arner made the motions to appoint Officer Arner, Nicole and Councilor Perry to the committee and all were in favor with no questions or objections.

Approval of resolution R009-2018 eliminating balance due from other funds to electric fund and balance due to other funds from the general fund

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

Motion to approve Jim Thorpe River Sports Letter of Credit reduction #4 in the amount of \$60,156 upon inspection by Borough Engineer

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

Motion to approve resignation letter of from Louise Christman from the Parks & Recreation Board

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

Consideration on the appointment of Carol Ritter for the Parks & Recreation Board

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

Motion to approve Memorandum of Understanding with Carbon County Conservation District pertaining to the controlling of erosion and sedimentation and administering the SALDO and Stormwater Management Ordinances

Nicole said this is a requirement of the MS4. We could not find one on file so Bruce met with Chris Storm of the Conservation District and addressed these items. Bruce said it is part of the SALDO for an earth disturbance over 5,000 square feet that requires the conservation district to approve different things for earth disturbance.

Nicole said these things are already in place we just don't have a document proving it.

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

Motion to approve Memorandum of Agreement with the Wildlands Conservancy for the Lehigh River Public Access Improvement Project

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

Consideration of police department buy back and transfer of handguns

Chief Biechy said the old guns we have are 12-13 years old and haven't been serviced. There was no armorer's school that they could find. Now we have someone who went to the armorer's school and completed the training. In the past we have bought back our duty weapons as a department; in which case the costs were offset. The difference is \$81. Buck's Sporting Goods is willing to do the transfer process. We already have the new handguns.

Councilors Saunders/Abelovsky made the motions to approve the buy back and transfer and all were in favor with no questions or objections.

Discussion on Lehighon Borough Facebook Page

Councilor Abelovsky said it's time and the page would only be fact based to get information out.

Councilors Abelovsky/McEvoy made the motions to approve the Facebook Page with Kim Rubin as the administrator and all were in favor with no questions or objections.

Discussion on Right-of-Ways needed for traffic signal at 9th & Bridge

Solicitor Nanovic said you should recall that the school district was going to be required to put in a traffic signal. We entered into an agreement with the school. Part of that agreement was that there needed to be two boxes on either side of the road; one on PennDOT property and the other was on the March property. We have prepared the easement and sent them out to both. PennDOT said they don't grant easements. The solicitor said, but you are the one requiring it so he is not sure where that stands. We cannot condemn against PennDOT but you can against Mr. March but the solicitor will wait to see what PennDOT does.

Nicole said we did everything we were supposed to now we need to wait for these easements and the project being bid out by the school district. This item is to be brought back to the March meeting.

Consideration on proposal from Lehighon School District on partnership with Borough in hiring a School Resource Officer

Nicole said the superintendent sent a letter with a recent proposal for a school resource officer. They did receive a grant for this. The borough did discuss this with them a few months ago and said we want the school district to be 100% responsible for this officer. This letter comes back with the school district proposing an 80/20 split. The officer would in turn be available for 57 days a year and that is why they are requesting the borough share the cost of the SRO.

Councilor Flickinger said he can't see hiring another person especially for this if it is not going to be 100%. He would rather the school district reimburse the borough for an officer that we already have under our employment. The school board could change in the future and that board could say they no longer want this officer and then we would be stuck 100% so he would rather go the route of using one of our officers or pay it 100%.

Chief Biechy doesn't think taking one of our officers away from the borough for this position is the way to go. He has talked to some other SRO's said that to do the job correctly that you are in the school during the school year and you will take personal/vacation time in the summer. So you lose this officer for some time anyway. They also have their own specific training and updating and continuing training so there is more time lost.

President Hunsicker asked how you handle their hours. They may have to stay for a basketball game after being there all day long or something else. Brian said yes and that will all be dependent on how we write the SRO with the school district by augmenting their time or schedule. We have an agreement with the district to be reimbursed for events they request our department to be at certain events.

Councilor Abelovsky asked about the 57 days this officer would be available to the borough. Do we need an officer for 57 days? Brian said he will defer answering that because he hasn't had time to figure out how the district came up with their numbers and right now we are not short 57 hours.

Councilor Abelovsky 100% feels an SRO belongs in our high school. If you look at what is happening in our country and our schools that one SRO will soon turn into three because of the 3 schools in our borough. That 20% share cost of the SRO will become 20% for 3 and instead of 57 days for one SRO it will be for 3. The SRO will be protecting the school students who come from multiple municipalities and she doesn't understand why only the Lehighton Borough will be paying the 20% of this officer's salary. She feels it should be turned back over to the school district at 100% with our 100% backing that that officer needs to be there. She believes the officer needs to be there but on the budget of the school district so that all the municipalities pay for it.

Chief Biechy said that he understands the grant has a 50% reduction next year and it is only a two-year grant. He also has several questions he needs answered aside from the money aspect before he is comfortable moving forward. Brian said he needs to check to see if there are any boroughs our size that have the whole school district in the borough and have a police department in their school district. He is not sure if we are unique or not and if not how they handle things.

The mayor had another suggestion. What if some of the teachers are trained and armed? He is 100% in favor with protecting the kids. The teachers are all through the building not just in one place.

Nicole said this officer will still become part of our department, our responsibility, our liability and we will still be using our resources in that respect by taking on the partnership.

Councilors Saunders/Flickinger made the motion to consider the request providing the school district funds the position 100% and all were in favor with no questions or objections.

Discussion of Snow Removal Ordinance and Odd/Even Parking

Councilor Saunders asked to have this on the agenda. He attended the mayor's meeting and this seemed to be a hot topic. He wanted to discuss whether odd/even parking for snow removal is/isn't the correct answer.

The mayor said people were asking why it was in place then not in place. He spoke to Terry Costenbader, president of Palmerton Borough Council who said odd/even works for

them. People complained initially but they stuck with it and issued citations and it works well now.

Councilor Perry asked if this could be tabled for now since winter is almost over and talk to Public Works and Brian. The Borough Secretary was asked to meet with Kris and Brian to come up with a pro/con list for council.

Unfinished Business

Continued discussion of Act 172 Ordinance

Nicole said she and the fire chief discussed this. He did have some language to change the criteria. This is still being worked on. We can advertise the ordinance as is and create the resolution later. No one is going to be submitting for reimbursements right now. We are almost there. If council is ok with it we can make a motion to advertise the ordinance.

Councilors McEvoy/Perry made the motions to approve advertising the ordinance with Councilor Flickinger abstaining from the vote. A roll call vote was taken with Councilors Abelovsky, Saunders, Perry, McEvoy and Hunsicker voting yes. There were no questions or objections. Motion carried.

Continued discussion on the future of the Sno-Go Snow Blower – Unit 3636

Nicole said Public Works provided the information sheet on the unit. She couldn't find a definitive cost on what we could get for it. They could definitely use the room. We did use it once last year. Its council's preference on what we do.

Councilor Flickinger asked the age of the Volvo and the life expectancy.

Councilors Flickinger/McEvoy made the motions to table this item.

Consideration on modified request from Trinity Church for two additional Handicapped Parking spaces 8 a.m. to noon Sundays only

Councilor Arner/Abelovsky made the motions to approve the request and all were in favor with no questions or objections.

Follow up from Councilor Saunders on meeting with Mr. Ed Conarty regarding the Annex Building

Ryan said he and Autumn met with Mr. Conarty and Tom Evans at the Annex building. He read the letter included in council packets. In summation things will be looked at and corrected and all new leases should come before council for approval.

Consideration on approval of the purchase of police server based on new proposals provided by DHTCS and Dell

Councilors Saunders/Perry made the motions to approve the DHTCS server purchase and all were in favor with no questions or objections.

Motion to approve MS4 Program Plan and Program Documents

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

Motion to approve \$30,000 payment from General Fund to Special Highway Fund for Ashtown Bridge Project

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

Motion to approve \$30,000 payment from Special Highway Fund to General Fund for payroll

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

Councilor Flickinger wanted council to know they were invited to the COG Spring Fling.

Action on Feasibility Study & Master Site Plan for Grove

Councilor Abelovsky said she agrees the Grove needs to be rehabbed. The inclusion of the larger more modern recreation center feasibility is not something that needs to be prioritized now in our borough.

Councilor Perry wanted to know what happens if we don't go through with this will it affect us. Nicole said it could be a strike against us. Councilor Flickinger said either way you don't know that you would get anything anyway. He would rather put the money into new equipment and show the community what we are using the money for instead of getting a study done. Autumn thinks \$40,000 is a lot of money for a study when our residents want to see things happen. The study could make something happen down the road but it is not a tangible thing.

Nicole said we have an executed contract. The solicitor said to table it for now to see what the termination requirements are and bring it back to the March meeting.

Officials Reports

Borough Manager

Council received her report for February. She said there was a sewer issue on Mahoning Street. A thank you letter will be sent to Palmerton Public Works for their help. She has a video of the piece of equipment Palmerton brought up and used. Public Works is very interested in a piece of equipment like this so if anyone would like to see it let her know.

Bruce and Public Works are discussing a temporary fix to the bypass. Public Works is doing what they can for this time of year.

We did receive our 2018-2023 general permit for MS4. We did not receive a waiver so we will continue on. GIS mapping is moving along. "Our Town" with WVIA is under way. There have been two meetings with a nice turn out by the residents wanting to participate with the project.

She met with Joe Neff on the vacation of Lentz Avenue. Mr. Neff agreed to circulate the petition once the additional paperwork from the solicitor and engineer is completed.

Borough Engineer

Bruce said he can't find record of vacating Ochre Street. Ochre Street from King Alley to North 7th Street was never officially opened.

The solicitor said if not opened in 21 years the borough has lost their rights to do so. We would now need the adjoining property owner's permission to open it. Bruce asked if we want to extend a dead-end alley. The solicitor will look into this further and bring back to the March meeting.

Police

Nothing.

Mayor

Mayor Ritter said he would like to have an office in the police department to meet with people. There is a space upstairs that has already been approved to be opened. The

cost would be minimal. Brian said the mayor can use his office or an interview room to meet with handicapped residents. The mayor said he wants it for his own use.

Fire Chief

Patrick was at a training.

President of Council

Nothing.

Solicitor

Nothing

Treasurer

Additional list of bills totaling \$18,082.90 and a budget transfer of \$100,000 as needed/if needed.

Councilors Flickinger/Saunders made the motions to approve the transfer and all were in favor with no questions or objections. Additional bills will be approved with the accounts payable.

Committee Reports

Finance and Administration – Darryl Arner, Chair; Lisa Perry, Co-Chair – Darryl gave council a handout of what his committee discussed with the borough manager and treasurer. He then read the report.

They decided to meet quarterly to review the investments. Nicole was directed to ask the fire company for a breakdown of cost on each piece of equipment they wish to purchase. They will be looking into salary structure for Public Works and Light & Power. The committee agreed to compensate the secretary and treasurer for the 6-8 week while Nicole is out on medical leave. The Water Authority it was noted is not paying for postage or office supplies. Light & Power pays for it right now. The committee agreed LWA should be billed monthly as there are 400 water bills that solely go monthly. Cathy was asked to look into the purchase of office supplies. She is to decide what to get, where to get them and the quantity as necessary. The committee will meet quarterly on a Wednesday. They decided the Annex leases should go through council. There are only 3 tenants currently and they would like to advertise for government and non-profit organizations to rent the available spaces. Some of these items require motions by council.

Nicole said anything for the billing will be split between all the utilities.

Councilor McEvoy/Saunders made the motions to advertise for government and non-profit organizations to rent the available office space at the Annex after the due diligence to correct the disparities of the building are finalized and all were in favor with no questions or objections.

Economic Development, Buildings and Codes – Joe Flickinger, Chair; Autumn Abelovsky, Co-Chair – Joe wanted to thank the zoning officer for doing a good job following up with the concerns of the business district. He really stayed on top of things.

Police, Fire and Safety – Ryan Saunders, Chair; Jared McEvoy, Co-Chair – Ryan said he and Jared are working with Chief Biechy to get bids from different contractors to install a washroom/bathroom upstairs. They have most of the supplies already. They are interested in getting the guys out on bikes as the weather gets nicer so the washroom will be very useful.

Joe handed out a course description for Critical Decision Making for Complex Coordinated Attacks. Tanner Eckman will also be taking the course if he is available.

He also asked council to register for the NIMS course so we are compliant

Light & Power Committee – Lisa Perry, Chair; Joe Flickinger, Co-Chair – nothing.

Nicole said the new pickup truck came in. She needs to talk to Lonny to see what he wants to do with the Expedition.

Sewer Committee – Autumn Abelovsky, Chair; Darryl Arner, Co-Chair – Autumn said Entech is working with Public Works on the installation of the flow meters. Nicole touched on the sewer issue on Mahoning Street. Most of it has been rectified and she will work on obtaining reimbursement from Doli. Autumn wanted to thank Public Works, the Water Authority and Palmerton Borough for the use of their sewer vac truck. The job was done very quickly.

Street, Public Works & Recreation – Jared McEvoy, Chair; Ryan Saunders, Co-Chair – 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 Perry/Saunders made the motions to accept the accounts payable plus the additional list of bills and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel and Real Estate

Councilors Saunders/Abelovsky made the motions to go into executive session at 9:20 and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors McEvoy/Perry made the motion to go back in at 9:50 and all were in favor with no questions or objections.

Action on Items from Executive Session

Councilors Perry/Arner made the motions to approve paying Cathy and Brenda \$400 each and Kim \$200 for month of March and all were in favor with no questions.

Motion to Adjourn the Meeting

Councilors Saunders/Arner made the motions to adjourn the meeting at 9:51 PM and all were in favor. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary