

January 22, 2018

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, January 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, 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, Fire Chief Patrick Mriss, and Police Chief Brian Biechy. Absent: Jr. Councilor Addison Howland.

Pledge of Allegiance

HEARING OF PERSONS PRESENT

Mr. Ed Conarty of 235 Coal Street addressed council. He addressed council at their November 2017 meeting because when he reviewed minutes he discovered the minutes stated that Mr. Traupman's report done after Mr. Conarty's request to verify square footage was denied. The report shows that the square footage for the lease was correct but Mr. Conarty was still not happy. Mr. Conarty said this was not a true statement. It states that he found 3 rooms with more square footage than on leases and several rooms being used but not on any lease, a kitchen being used but not on any lease and he wants the minutes corrected.

Mr. Ed Conarty of 235 Coal Street wanted to question council about 110 North 3rd Street. He brought up points he made in 2010 about the square footage of the rooms and leases and so forth that he felt were not correct. This does nothing to correct the fact that it was an untrue statement to begin with and he wants the minutes corrected because as they stand he feels that anyone who would read them would think that the things Mr. Conarty says are all in his opinion rather than of the facts that he has documents to prove.

The solicitor said once the minutes were approved you can't change them. You can put a notation in today's minutes about Mr. Conarty's comments yes but you can't make changes to previously approved minutes.

Councilors Flickinger/McEvoy made the motions to have tonight's meeting minutes reflect Mr. Conarty's comments.

Mr. Conarty also had a copy of the income and expenses for 2017 year for 110 North 3rd Street showing income of \$200,055.37 and expenses of \$244,732.47. The expenses exceed the income but once again he says this is not a true figure. Nothing is expensed for the utilities, borough employees, snow removal or attorney fees. He asked when there will be true reporting. He said the leases only account for 11,853 square feet and Mr. Conarty said there are 1,000's of interior square feet used for free and exterior too at no charge. When will the tenants be charged for the space they use? The new leases did not change in the square footage after Mr. Traupman's report if they were false.

Councilor Saunders said a few of the newer council people would like to go over this with you at a later date to address this.

Councilor Abelovsky wanted to know if it would be possible to have some of council sit down with Mr. Evans to find out how the Houser building was being managed. Councilor

Saunders thought Mr. Evans would be present at the meeting with council and Mr. Conarty. Mr. Conarty provided his phone number to Councilor Saunders to schedule the meeting.

APPROVAL OF MINUTES

Regular Meeting of December 18, 2017

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

NEW BUSINESS

Motion to adopt 2018 budget

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

Motion to adopt Ordinance 642-2018 setting tax levy rate for 2018

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

Approval of resolution R006-2018 updating the fee schedule for FY 2018

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

Motion to advertise for lifeguard for the 2018 season

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

Motion to approve the release of the letter of credit for the Blakeslee Commons Project

Nicole said everything for the release of the letter of credit has been fulfilled. We will hold \$3,500 escrow fund for outstanding items outside of this.

Councilors Flickinger/Saunders made the motions to approve the letter of credit for Blakeslee Commons project and all were in favor with no questions or objections.

Discussion on structure of committees of council

Councilors Flickinger suggested Streets, Buildings and Codes to Economic Development, Buildings and Codes to streamline things then adding Streets to the Public Works and Recreation Committee and all were in favor with no questions or objections.

Consideration on the approval of purchase of police server

Chief Biechy requested this item be removed from the agenda at this time.

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

This item was tabled until next month's meeting.

Consideration on the purchase of the Caterpillar Hydraulic Rotary Broom for the Skid Loader in the amount of \$7,900 from Special Highway Fund

Councilor Flickinger verified that Nicole said this wasn't a line item but the funds were there in this fund and she said yes.

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

Consideration on the preparation of a Resolution to complete "Due to/Due from" accounting adjustments

Nicole discussed this with council as the memo as it is extensive. Council just needs to decide if it's better to table it and talk to the accountants or proceed with the resolution or do nothing at all. The audit will be February 5-7, 2018 to explain it in more detail.

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

Consideration on the St. Luke's Hospice request to utilize Lehigh Trailhead for 8th Annual Charity Bike Ride on June 2, 2018

Nicole said the bike ride has been occurring for the past 3 years. Last year it was so large Nicole had them change their procedure to make the request through council. There is a lot of traffic down there and she wants to make sure everyone is on board with the event. There were approximately 200 riders last year. The trailhead is their starting/finishing location.

Councilor McEvoy/Saunders made the motions to allow the Bike Ride provided all normal requirements are met and all were in favor with no questions or objections.

Discussion/Action on the proposals for three month flow monitoring for Phase 1 Inflow and Infiltration Project

Nicole said she, Public Works and members of the Sewer Authority met with Entech Engineering and council had approved a \$1,500 proposal with them a few months ago. We found out we do need to start monitoring and our flow meters were not used much after purchase and do not work. Entech recommended hiring a company. We are recommending proceeding with the UGS proposal for \$5,350 for meter installation and removal, rental of 7 flow meters and 3 site visits one time a month. This expenses would come out of the sewer funds.

Councilors Saunders/Arner made the motions to go with the USG proposal and all were in favor with no questions or objections.

Presentation of the draft MS4 Program Plan and Programs for approval and public outreach and education program meeting

Nicole said we have 60 days to meet the requirements of DEP's MS4. She prepared a program plan and a separate program to summarize what we are going to do. You will adopt them at the February meeting. Tonight serves as our education and public outreach meeting.

Consideration to approve the award of bid for the 1997 Freightliner FL-70 Bucket Truck

Nicole said only one bid was received. It was from Jeffrey Repsher in the amount of \$5,100.

Councilors Saunders/Flickinger made the motions to award to Jeffrey Repsher for \$5,100 made the motions to approve the purchase and all were in favor with no questions or objections.

Motion to approve the memorandum of agreement for the material of terms for the 2018-2021 Lehigh Borough Collective Bargaining Agreement (for action after Executive Session)

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

Motion to approve revised funding commitment letter for DCED Multimodal Grant funds for Upper Park Connectivity Project

Nicole said she wanted to make council aware of what we think we can fit into the parameters we have. We have the cracked and buckling asphalt pathway in the Upper Park being torn up and replaced with ADA accessible paver walkways to connect to the ADA

ramps at the corner of each park, create an uninterrupted pedestrian path consistent with that of the Lower Park, outdated street lighting will be replaced, stormwater will be diverted from the improved walkways, some benches and trash cans. This is what will be submitted to DCED hoping that with the Greenway Trails and Recreation we can do the amphitheater area. We will not be able to do the sidewalks along the perimeter, curbing, trees, crosswalks and pedestrian crossing signs. The 30% match would be \$85,714 to the entire project not just the grant.

Councilor Saunders said he thinks we need to look at the sidewalks as that definitely needs to be considered. Nicole said maybe as a phase 2 of the project but the funding we requested was basically cut in half.

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

Discussion on next steps for the Grove feasibility study (request for RFP's ready to be advertised) and the Baer Memorial Grant project

Councilor Flickinger said he would prefer seeing the funds for both of these projects go into redoing the bypass and downtown because of the safety issue.

Nicole said her concern is that we have two signed contracts with DCNR. The solicitor said if you renege on the grants it's usually not good on your local representative who helped get them for you.

Autumn thinks focus groups being set up to assist in this process is a good idea. She spends a great deal of time at Baer Memorial the sketch plan doesn't seem to meet the needs of the community. Nicole said that would come into play with the master site plan for the Grove. Baer's is a construction project.

The borough secretary said she needs to know if she is to go out for the RFP's that will state what needs to be done to the Grove, what rehab is required if there is a need for a 2nd rec center. That is what the study is for. The Baer Memorial project is strictly the guidelines of the grant. We met the requirements of what they were funding this grant round.

Nicole said that is wanted to receive money for improvements to the Grove the feasibility study need to be done first. Brenda said yes the study is phase 1. If we do not do the study we will be turned down for any other grant funding without the study being done.

Councilor Flickinger said looking at all these other studies it involved getting volunteer groups in to help with all this stuff instead of government having to spend a big amount. If we can get volunteers to do some of these projects we may not have to get grant after grant after grant to do this stuff. At the amount that our community has started to band together over the past couple of years he feels it's a win, win for everyone. Your volunteer groups have these projects to pride themselves on and he feels we should start looking into that instead of spending.

Brenda said that for Baer Memorial part of our match can be volunteer groups helping/donating time, product or materials. For the feasibility study a steering committee of community members to sit and oversee the study so to some extent a focus group will be formed.

Councilor Flickinger said he still thinks we are spending a lot of money on a want instead of a need.

Councilor McEvoy asked if this would fall under the Parks & Rec umbrella. Councilor Saunders thinks it should be a recreation discussion. Moving forward he thinks we need to do the feasibility study on the Grove for sure whether we do anything else or not. We would be able to pick and choose what we want to do from the study, correct? Brenda said yes, you would apply for a grant for the construction phase. This is the 2nd time we applied. We did not get the 1st grant we submitted.

Councilor McEvoy asked if there were grants available for the road project because that is important too. Nicole said we can apply but there are limited funds for that type of project. Unless you are going to use CDBG funds and she would need to check and see if they would allow us to use those funds for that type of project. She believes she asked that question before and was told no.

Tabled until next meeting.

Motion to accept Felicia Pilla's resignation letter effective April 30, 2018

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

Nicole asked if this is something we want to advertise for with the appropriate qualifications. Barry Isett had submitted a proposal if we would want to consider them for doing the inspections. What route does council wish to take. Council wants to look into seeing if there is someone else qualified to fill the position before deciding.

Consideration on request from Trinity Church for two additional Handicapped Parking spaces

Councilor Abelovsky said they currently has two spaces on 3rd Street. She is not sure they are taking into consideration the preschool that meets in the house next door Monday-Friday. If they take two more spaces away for handicap parking all the time then the parents picking up and dropping off the preschool children with have to park even further away and cross more streets. She said the ones at Zion church are only for specific times.

Chief Biechy said they also have a parking lot behind the church. Bruce commented that the spaces in front of Zion are not true handicapped spaces because of the slope of the street. Third Street is more flat and more conducive to handicapped parking than Iron Street because the slope doesn't qualify for handicap. If you are truly handicapped the slope of those spaces should be no more than 2% making the parking lot to the rear of the church better meets the criteria. Maybe have the borough's Code Official look at it.

President Hunsicker is ok with having signs posted for during church service and other councilors agreed.

Tabled until next meeting.

Councilor Flickinger had another item under New Business he wanted to discuss. He would like to see about creating a historic district within the borough. It was mentioned in both the Comprehensive Plan and Main Street Center. After the Trail Town meeting Kathy Henderson had started it. Councilor Flickinger spoke to Todd Weaver of the Heritage Alliance who told him it was at council's pleasure to look into it. Even if it's just the historic structure survey Todd would take it back to the Alliance to see if they would want

to incorporate it in to their stuff. It is a very lengthy process and Todd thought it was a great idea. The Heritage Alliance would like to be a part of this.

It would depend on how involved we would want to get with the project. Kathy Henderson would like to see the bypass and First Street area deemed a CRIZ Zones to help get the business and property owners to fix their stuff up. At least this way there would be some structure and we can decide how involved we want to be. If we decide to move forward at the least the survey would be complete.

Unfinished Business

Continued discussion of Act 172 Ordinance

Nicole said we have made numerous amendments to the ordinance and now that a year is complete where we have been using the SOG's there definitely appears to be the possibility of looking into using different criteria. Patrick said 20 firefighters qualify and 7 missed qualifying by 1 criteria. There was discussion on changing criteria to encourage more training and hours at the station. We also need to decide what we are going to do for EMS and Fire Police.

Nicole was looking for comments on the draft as proposed or on the ordinance as it is and if we should continue to evaluate the criteria as proposing.

Officials Reports

Borough Manager

Council received her report for December and January. She spoke to the Treasurer today and will need a motion to approve a \$130,000 transfer from Light & Power as needed. Nicole provided a memo for the Ashtown Bridge Project. There was an issue with the concrete certifications. The fix would be that the general Fund would pay \$30,000 back to Liquid Fuels for that project and then Liquid Fuels would pay the General Fund \$30,000 for payroll. She just needs council's permission to do so.

Borough Engineer

Bruce said last fall there was a request to provide a cost estimate to extend King Alley up to Ochre. Dennis Blocker made the request to extend the alley up to the lots he has on 7th Street. The estimate is \$18,000 with contingency to do that would be about \$20,000. It is approximately 5,500 sq. ft. of roadway construction.

Nicole said that Mr. Blocker had come before council a year and a half ago asking for consideration of the street opening for his proposed new constructions. Do you want his brought back next month, look into it further or nothing at all?

Councilor Perry would like it looked into further. She would like to accommodate people having newer houses to choose from to live in the borough. Councilor Saunders would like to know what Mr. Blocker's contribution would be to the project as he stands to gain quite a bit from it.

Police

Nothing.

Mayor

Mayor Ritter said the he and the Chief have been having meetings to learn the mayor's job. He is starting a "Talk with the Mayor" to open the lines of communication with the residents. These meetings will be the 2nd Monday of each month at 7 p.m. in council chambers.

Mayor Ritter said he had a brief discussion with the police chief and borough manager regarding the parking on Bridge Street and would like to hold it over until next month so he has time to go look at the location.

Fire Chief

Patrick wanted to thank all those who helped out his department during the fire in town in the frigid cold temperatures. The hot food and beverages were greatly appreciated and Public Works quick response to helping with the ice formed from fighting the fire was much appreciated.

President of Council

Grant said we are looking for MECAB member to volunteer to attend their monthly meetings. This month it's in Coplay at 7 p.m. They are all over the place. Grant said he and Scott usually went to them.

Solicitor

Nothing

Treasurer

Additional list of bills totaling \$20,391.56 and a budget transfer of \$130,000 as needed/if needed.

Committee Reports

Finance and Administration – Darryl Arner, Chair; Lisa Perry, Co-Chair – Darryl had nothing. Joe asked if any meetings were scheduled with Nicole to go over the finances. Darryl said not yet but he would call Nicole tomorrow to schedule.

Streets, Buildings and Codes – Joe Flickinger, Chair; Autumn Abelovsky, Co-Chair – Joe said he is looking forward to the new adjustment to the committee. He believes it will increase our potential with the businesses within the borough and definitely help promote what we have going for us.

Police, Fire and Safety – Ryan Saunders, Chair; Jared McEvoy, Co-Chair – Ryan said he and Jared had a chance to meet with Chief Mriss, Assistant Chief Mriss and Chief Biechy over the last week. We will continue to meet on a regular basis and help out as much as possible. Ryan also congratulated the fire department on their fine work fighting the horrific fire in Franklin Township.

Joe wanted to add that for any councilor who is not NIMS compliant, Mark Nalesnik will be offering a G-402 course in the near future. If we have a natural disaster or FEMA grant funding they can turn us down if we are not compliant.

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

Sewer Committee – Autumn Abelovsky, Chair; Darryl Arner, Co-Chair – nothing.

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 Saunders/Perry made the motions to accept the accounts payable plus the additional list of bills and transfer 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 8:45 and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors McEvoy/Saunders made the motion to go back in at 9:15 and all were in favor with no questions or objections.

Action on Items from Executive Session

Councilors Saunders/Arner made the motions to approve Police Chief Agreement with 4% raise and contribution to health care and all were in favor with no questions or objections.

Councilors Saunders/Flickinger made the motions to approve Denise Niehoff's request for vacation buyback and all were in favor with no questions.

Councilors Saunders/Arner made the motions to approve Patti Bissell's request for vacation and sick time buyback and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Saunders/Flickinger made the motions to adjourn the meeting at 9:22 PM and all were in favor. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary