

September 24, 2018

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, September 24, 2018. The meeting was called to order at 7 PM by Pres. Grant Hunsicker. Members in attendance were: Lisa Perry, Jared McEvoy, Darryl Arner, Joe Flickinger Autumn Abelovsky, Ryan Saunders, Jr. Councilor Addison Howland and Jr. Mayors Ryan Kusse and Alfred Bravo, Jr.

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, Fire Chief Patrick Mriss, Light & Power Superintendent Lonny Armbruster, Public Works Superintendent Kris Kunkle and Recreation Director Tom Evans.

Pledge of Allegiance

CDBG 2nd PUBLIC HEARING – Kathy from County Planning Office

See attached.

PRESENTATION – Waterfront Traffic Study – Bryan Smith, Barry Isett & Associates

Bryan said the study looked at Stanley Hoffman Boulevard and how pedestrian would impact or move between the waterfront and the development and bring them up into the borough. The traffic count was taken two times. Once during a water release to calculate potentially the most as far as traffic. From a traffic stand point, the intersections of Stanley Blvd. and Lehigh Drive at Main Lane function at a level of service of A to C. There is only one movement being a left hand turn off of Lehigh that actually has a level of C. Otherwise as far as traffic goes they are operating at a level of A and B which is ideal.

The next thing his company looked at was how the pedestrians were crossing those intersections. Over the last 5 years there have been 14 accidents involving vehicles and pedestrians along that corridor. Of those 14, 10 of them involved a pedestrian with a vehicle in the left turning lane. Of those two lanes the right is for through traffic and the left is for turning. Unfortunately most of the accidents involved the left hand turn lane.

There recommendation for how to have pedestrians safely cross those two streets are providing a secondary trail from Main Lane South along Lehigh Drive that would help provide a separation for pedestrians that would help connect to the trail but just a little farther south.

The second recommendation would be to do a series of pedestrian crosswalks that would actually cross Sgt. Stanley Blvd. and provide pedestrians better access. This would be done by adjusting the left turning lane. Instead of allowing it to be wide open we would suggest two different options – signage and pavement markings that would limit the amount of time a person could be in the left turn lane or a physical improvement of bump outs could be done. The latter would be more costly but this option prevent a vehicle from staying in the left turn lane.

The estimated cost for the signage and pavement markings is \$135,000 which is very cost effective. To do all the physical improvements would be about \$696,000.

Nicole said with the study being completed we can now use it for grant applications so we can try to acquire funding for the improvements down there.

The drawings and the study will be provided to council before next month. There is nothing we need to make a decision on now but his way you are aware of what the study found.

Mr. Smith did say that PennDOT offers some roadway improvement grants that could be applied for. He also recommended that the overhead signage already there is in disrepair because it is not needed.

HEARING OF PERSONS PRESENT

Jerry McAward of the Lehigh Outdoor Center and Joe Krushinsky of the American Cancer Society wanted to let council know they plan on bringing the Zoo Stock Concert event from Lansford to Jerry's Outdoor Center next year. The raft race will be brought back to the area and proceeds would go to the cancer society and then a concert in the afternoon.

Mr. Krushinsky said this Labor day was the 20th Annual Zoo Stock and the event has raised nearly \$350,000 for the American Cancer Society and for the last few years we have wanted to look at other venues to hold the event along with new volunteers and elevate the family element to the program but more space is needed to do that. They struck up a conversation with Jerry and we are excited about the possibility of migrating this event to Lehigh and bring back the raft race that in and of itself raised hundreds of thousands of dollars alone.

They will do whatever the borough requires and just wanted to get it out there.

APPROVAL OF MINUTES

Regular Meeting of August 27, 2018

Councilors Perry/Arner made the motions to approve with one correction to page 6 paragraph 3. The correct roll call vote is Councilors Abelovsky, Saunders, McEvoy, Arner and Hunsicker in favor of granting the amendment to the land development agreement and Councilors Perry and Flickinger voting against.

NEW BUSINESS

Consideration on request from G&F Management allowing their tenant to park on Borough property behind 116 & 118 Carbon Street

Mr. Troy Faust, owner of the property was present. He said he and his wife had just purchased the property 2 months ago and thought the property went all the way to the alley. He found out from the neighbor to the south that it does not. The borough actually owns about 50 feet from the alley into his property. He is looking for permission to park on that property to get vehicles off the street. Mr. Faust said his tenant in 116 has been mowing the grass since she moved in 16 years ago.

Mr. Faust is hoping council would give him a license to use the property. The solicitor agreed. Solicitor Nanovic said license only gives Mr. Faust permission to use the property, it also covers liability and I can add that Mr. Faust must maintain it. The license is revocable at any time.

Councilors Saunders/McEvoy made the motions to approve the solicitor drawing up a license for use of borough property at 116/118 Carbon Street and all were in favor with no questions or objections.

Motion to adopt Ordinance 646-2018 amending the zoning ordinance for the inclusion of medical marijuana

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

Motion to adopt Ordinance 647-2018 abolishing the ordinance prohibiting dogs in the parks

Councilor Arner gave this ordinance a lot of thought and doesn't think it's a good idea because a lot of people are not responsible for their dogs. Then there's liability for other dogs and children who can be bitten or attacked. Then there are dogs that attack other dogs. You also have the cleanup issue.

Councilor Flickinger said he understands Darryl's concerns but if we are going on that stance, Councilor Flickinger doesn't have any benefit either way. He has just been having residents voice their opinions. If safety is the main concern then we should not let any animal organization that is going to have animals in the park hold events in the park for this reason. At any given time anything could happen to any given child because of those animals. It does not matter to him how council votes but if that's the case we shouldn't have animals there at all. Grant doesn't feel the cleanup of the parks because of the dogs should fall on our public works department because that is an expense to the residents.

Councilor Abelovsky said in the past members of council have requested our department heads to be here to give their input. They were here last month and two of them pretty much stated that it was not a good idea and we still voted in favor of it. She thinks these are the people we need to be listening too.

Councilor Flickinger said he does respect the department heads and their opinions but in the same token we also need to respect the opinions of our residents as well. He is willing to rescind his motion but feels council then needs to rethink allowing these types of events in the park on the stance of safety. Safety needs to be considered 24/7/365.

Councilor Abelovsky said in the past the mayor had talked about finding a location and funding for a dog park in town and she thinks it is a great idea but just fell to the way side a little bit. She also thinks the mayor is still willing to continue looking into it. Mayor Ritter said the idea was to use Skyline Park at the end of North 3rd Street. There were parties interested in forming a committee to see it through. Someone was willing to donate cyclone fencing and installed cyclone fence being donated and it just fell through because of it being a kid's park. Joe said he met with the person the mayor is talking about and did significant research along with Councilor Perry giving him resource information from Rockland Park he believes. Skyline isn't large enough area. You need two separate area of a certain size for large dogs and then another for small dogs. This woman is willing to head the committee.

Councilor Saunders said so many residents tell him how happy they are to be able to bring their dogs to the farmer's market. President Hunsicker said a lot of people are against it too.

Councilor Abelovsky said it can go both ways. She thinks giving the residents a place they can go with their dogs would be great. She said it is just a matter of finding the right place and doing all the work that goes along with it.

Councilors Flickinger/Saunders made the motion to adopt the ordinance and all were not in favor. Roll call: yes – Councilors Flickinger, Saunders and McEvoy; No – Councilors Abelovsky, Perry, Arner and Hunsicker. Motion failed.

Motion to adopt Ordinance 648-2018 amending the transient Circus, Carnival and Amusement Ride requirements

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

Motion to approve 2019 MMO for police pension fund

Nicole said there is a \$47,051 increase.

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

Motion to approve 2019 non-uniform MMO

Nicole said there is a \$13,479 increase.

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

Discussion on the draft Act 172 Resolution

Councilor Flickinger would like two amendments to the resolution. He received information from Lehighon Ambulance stating that they wanted everything lumped summed into 96 hours as well as Lehighon fire police had down for 40% of responses and 50% of special assignments. Joe spoke with Lt. Gower of the fire police and Mr. Gower would be in favor of the amendment Joe is about to present. Since the fire department has 50% of drills 30% of calls, work session, special assignments and 16 hours of outside training requirements. He believes that the fire police and EMS should also have the 16 hours of outside training requirement to it. This would even out the lists for all.

Councilors Saunders/McEvoy made the motions to adopt the resolution once the amendment to require 16 hours of outside training for all fire police and EMS is added. Councilor Flickinger recused himself from the vote. Roll call: yes – Councilors Abelovsky, Saunders, Perry, McEvoy, Arner and Hunsicker. Motion carried.

Discussion on 9th & Union Street – No Left Turn

Nicole provided council with a memo of previous discussion on this and where we stand today. There has not been an ordinance on file for no left-hand turns for restricted hours nor do we have any proof that PennDOT had approved it in the past. If we are going to proceed with this we will need to fill out PennDOT's TE 110 form for an engineering study. There would be possible changes to the driveway or street. It's up to council to proceed and pay for the engineering study.

Chief Biechy said this is his fault for asking to have the sign put back up. No one seems to know how it came down. Then the PennDOT issued became involved. His original thought was to make it no left turn at all onto 9th Street but decided it should be up to council.

Councilor Abelovsky said she drove this just to see how it was. It is a pain to have to turn right but is much safer. She wonders why we let people go straight across. It took her 3 ½ minutes to go straight through the intersection. She doesn't understand not allowing people to turn left but allowing them to go straight. It's a safety issue and Brian agreed but said it is only an issue primarily during school or school events. He understands the cost involved and will leave it to council to decide if the sign should go back up.

Councilor Abelovsky said the fact that the sign was put up shows that we wanted to have this done and just because PennDOT now says there are stipulations should not be our deterrent.

Nicole will obtain proposals if everyone is on board and they were.

Motion to approve the retirement notice from Greg Mriss

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

Consideration on the proposed changes to the 2018 Alley Paving Program

Nicole said we have been receiving requests on some other alleys. She and the Public Works Superintendents have discussed what other alleys can be done within the budget. Blue Ridge Pressure Castings has been requesting the road between their building and the pool be fixed and also the long standing request from Mr. Blocker for King Alley. The access way to Baer Memorial would be about \$5,500 ending about 5-6 feet past the gate and King Alley to our pole would be about \$2,000. She is asking for permission to add these 2 items to the paving project for the year. We will also look into seeing if we can use our time as in-kind for the grant. Also, on King Alley we are only going to our pole. If Mr. Blocker wants to extend past that then we will discuss it for council for discussion.

Councilors Flickinger/Saunders made the motions to amend the 2018 Paving Program to include the access way to Baer Memorial and King Alley to out pole in the north end of town and all were in favor with no questions or objections.

Initial Presentation of Pennsylvania Municipal Electric Association proposed by-laws and draft resolution

Nicole said she provided all the information from PMEA and 25 of the 35 municipalities that were in attendance at the conference had voted to proceed with this. It would impact our budget. Our current dues are \$1,175 and they would go up to approximately \$15,000 but that would come with additional services. The increase is due to the dues now being based on \$5 per electric meter and we have approximately 3,000 meters. She will bring back the resolution in October or November for council if interested.

Unfinished Business

Continued discussion on sidewalk ordinance

Nicole said she was to bring back specifications this month but she did not have time to do that.

Officials Reports

Borough Manager

Nicole said we did get the Phase II Smart Growth Grant. The community forum will be hosted on October 23rd and there will be Main Street Approach training on October 24th and a steering committee is being worked on for that along with trying to get some members of the public involved.

The Stedman Avenue project is completed. We are waiting on final close out and inspections.

We are waiting on one signature for the vacation of Lentz Avenue.

PathStone did not renew their lease for the 2 rooms they had asked for last month. Their funding did not go through as they had hoped.

Borough Engineer

Absent.

Mayor

Fire Prevention Proclamation was read by the mayor. Fire prevention week is October 7-13, 2018.

The mayor then presented Jr. Mayors Alfred Bravo, Jr. and Ryan Kusse with certificates for participating in the Jr. Mayor program.

Police

Chief Biechy said they will be migrating their phone system to FirstNet. The bike are up and running with one officer taking training.

Fire Chief

Chief Mriss said his department will be hosting a Fire Prevention Program October 13th at the Leighton Middle School from 10 a.m. until 2 p.m. They have partnered with the other departments in the school district for this event.

Light & Power Superintendent

His department will be celebrating Public Power Week with an open house October 10th at noon.

Public Works Supervisor

Nothing.

Councilor Saunders told Kris his department did an outstanding job on South Main Lane.

Recreation Director

Nothing.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

Nicole said Cathy provided a list of additional bills.

ADDENDUM

Motion to approve ½ Marathon Sunday, April 14, 2019 along the D&L Trail

Nicole said this was brought to council because of the size of the event. They expect at least 800 runners. They are making arrangements with the bus company to park somewhere else and then get bussed in.

Councilor Flickinger asked what the actual route was so as not to impede anything that normally is going on down there.

Mr. McAward said he will discuss with Nicole on if he can help in anyway but he has no issues right now with holding the event.

Council Flickinger/Saunders made the motions to table this item until next month.

Committee Reports

Finance and Administration – Darryl Arner, Chair; Lisa Perry, Co-Chair – Nothing. Joe asked if there have been any finance and administration meetings at all. Darryl said no

they have all been having difficulty getting together but we are having one October 17th at 4:30. Lisa said she and Nicole have been able to meet to discuss finance and admin.

Economic Development, Buildings and Codes – Joe Flickinger, Chair; Autumn Abelovsky, Co-Chair – Joe wanted to welcome the 3 new businesses that opened up in the past couple of weeks. There is a ribbon cutting for the re-opening of Cathedral Rock Gym on September 27th if anyone is interested in going.

Autumn said she thinks it is important to also thank our long term/standing business for staying here as long as they have. She and Joe are going to try and visit each one of them over the next few months.

Police, Fire and Safety – Ryan Saunders, Chair; Jared McEvoy, Co-Chair – Nothing.

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

Sewer Committee – Autumn Abelovsky, Chair; Darryl Arner, Co-Chair – Autumn said LSA asked that she give kudos to the utility office on the collection of the delinquent accounts. It has been going very well and the list is dwindling. Beth Mesko had taken on this request.

Street, Public Works & Recreation – Jared McEvoy, Chair; Ryan Saunders – Ryan said he is the LCRC rep for the borough and wanted everyone to know the per capita was going from 10 cents to 20 cents for 2019 to allow a bigger budget for things that have not been able to be purchased.

Autumn commented under recreation that the Parks & Rec Board will be having the Christmas trees in the park this year. The theme for the borough tree will showcase all of the borough departments and boards. She will get picture of all the departments and board and turn them into ornaments for on the tree. This way the residents will be able to put a face to all the employees of the borough.

Acceptance of Officials Reports

Councilors Flickinger/Saunders 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/Abelovsky made the motions to accept the accounts payable plus additional bills totaling \$8,454.58 and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel, Litigation & Real Estate

Councilors Arner/Flickinger made the motions to go into executive session at 8:10 and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/McEvoy made the motions to go back in at 8:50 pm and all were in favor with no questions or objections.

Action on Items from Executive Session

None.

Motion to Adjourn the Meeting

Councilors McEvoy/Saunders made the motions to adjourn the meeting at 8:52 PM and all were in favor. Meeting adjourned.

Brenda L. Kreitz

Borough Secretary