

April 18, 2011

The Regular Scheduled Meeting of the Lehigh Borough Council was held in the Municipal Building on Monday, April 18, 2011. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: Dale Traupman, Bessie Bauchspies, Melissa Ebbert, John Bird, Darryl Arner and Scott Rehrig, Jr. Councilors: Noah Tkach.

Officials in attendance were: Solicitor James Nanovic, Mayor Donald Rehrig, Officer-in-Charge Sgt. Joe Lawrence, Secretary Brenda Koons, and Treasurer Nicole Beckett. Absent: Fire Chief Jack Kuller.

Pledge of Allegiance

Hearing of Person's Present

None

Approval of Minutes

No minutes were submitted.

New Business

Motion to adopt Ordinance 595 Amending the Traffic and Vehicle Code

Councilors Ebbert/Traupman made the motions to adopt and all were in favor.

Discussion of giving conditional approval to the revised Packerton Yard plans

The solicitor said this can be an executive session item because it is in litigation but does not have to be. His suggestion would be if you want to give conditional approval, authorize him to contact their attorney to prepare an agreement to grant conditional approval and then have it ratified at the next council meeting. It is a baby step because the plans are no longer before us and is now in court. It is a matter of if we wish to go along with it and Solicitor Nanovic suggests council does because there are fewer conditions now than when this started.

The Borough Engineer said the last plans formally submitted to the borough were on April 30, 2010. They since have a revision that's dated February 22, 2011 but those were not formally submitted to the borough which has some of the conditions as being met on them because of the borough's action of rejecting the plans.

Councilors Ebbert/Bauchspies made the motions to authorize Solicitor Nanovic to contact their attorney to draw up an agreement for review by council and all were in favor.

Discussion of the Judge's Stand

The solicitor thought it could be put out on bid. Whoever wants it would have to indemnify the borough, show proof they have the ability to remove it and remove it in a timely manner. It is too costly for the borough to fix it up.

Councilors Ebbert/Bird made the motions to put the judge's stand out for bid and all were not in favor. A roll call vote was taken with 2 wanting to bid it out and 5 against bidding it out.

Council President then asked what we want to do next. The solicitor wasn't sure. Councilor Traupman suggested giving it to the first person who responded to wanting it for free. Several other councilors felt it should still be fixed and put in the park.

Councilor Traupman/Arner made the motions to give it to Mr. John Steigerwalt who was the first person to ask for it and not all were in favor. Another roll call vote was taken with 2 wanting to give it to Mr. Steigerwalt and 5 against giving it to him. The Judge's Stand stays where it is until a decision can be made as to what can be done with it.

Unfinished Business

Continued discussion of Peter Turko's Project

The solicitor said he has heard nothing from Attorney Walbert to date. He will give them until the May meeting.

Approval to close Borough office for two (20 hours on April 27, 2011 for session on Debit/Credit Program

We must advertise in the paper for this and include the Water Authority in the meeting. The office will be closed from 10 a.m. to 2 p.m. that day.

Councilors Traupman/Ebbert made the motions to close the office and all were in favor with no questions or objections.

Official's Reports

Borough Engineer

Bruce said the meetings with the residents for the sewer projects went well. The residents required to install curbing are resolved to have it done and there haven't been any complaints yet. Mr. Vincent Micolucci at 89 Stedman has 5 Maple trees that are planted between the curb and the sidewalk. Bruce told Mr. Micolucci he would ask if the borough could have the trees cut down in helping him replace the curb. Bruce also told him that it would be a good idea to have the sidewalks replaced at the same time as they are in bad shape as a result of the trees as well.

Councilors Bauchspies/Ebbert made the motions to have the borough cut down the trees and all were in favor.

Bruce also said that it has been past practice to waive the fee for the permits for the curbing as it is a borough project.

Councilors Traupman/Bird made the motions to waive the permit fees and all were in favor.

Bruce also mentioned there is a 24' alley between the Micolucci and Schoenberger property's that is a borough alley in the wrong place but it has been put in the bid. If there is a contractor out there who is going to do all the curbing, we could have the same contractor do the 24' at a cost of about \$400 or leave it in the contract and pay for it with Liquid Fuels money Council decided to leave it in the contract.

The next item was for the paving and milling of North 8th Street where we are replacing the sewer lines and laterals. Bruce left 50.1 l. ft. of curbing in the bid spec for the reconstruction of Stedman. He left some sidewalk in there. His estimate is \$129,000 for this. The milling of 8th Street, tack coat

and wearing will be about another \$41,000 which will bring it to about \$170,000. He thinks Nicole had budgeted \$200,000 and she said yes. Bruce is thinking of taking the milling and paving of 8th Street out of the sewer project and leaving those funds in the sewer rehabilitation account and use the \$41,000 from the Highway Aid to do the milling and paving of 8th Street. That would still leave us with about \$31,000 in the Highway Aid if we wanted to do something else.

Finally, the report for the bridge at Baer Memorial and Ashtown Drive has some deficiencies. It is probably worse with the heavy rains but there is some scouring of the foundations of the bridge. They are recommending that the repairs be made. With the remaining Highway Aid money should we bid this out for repair or is it something that the borough wants to tackle?

Bruce said Al was going to take some of the concrete sidewalk blocks from 1st Street and lay them against the abutment walls. This report is calling for more than that. This is calling for rerouting the creek and dewatering and actually pouring concrete up underneath.

Bruce said we will probably need a permit to enter the creek and do the work when the creek is low and after trout season ends.

As far as the salt shed, Bruce stopped at Keystone Concrete Products in New Holland. They have some precast units and they are going to give him a budget price on the units they make and then put a pole building or a stud building on top of the precast units to make a salt shed. They can prepare the drawings and technical specs for the concrete units and provide the design for about \$3,000. We would have to put the front end of our standard borough specs on and bid it out for construction. He has to talk to Al to see how he wants it constructed and then put it out to bid.

Officer in Charge

Nothing

Mayor

1. Arbor Day Proclamation

Arbor Day will be celebrated April 29, 2011 and the middle school will host their program that day from 8-8:30 a.m. Everyone is invited to attend. It is a great program.

Fire Chief

Absent. Nicole said that Jack came to see her today and asked that council approve going ahead with the environmental assessment study and that the fire department would pay for it to keep the project moving at a cost of \$12,000.

Councilors Ebbert/Bauchspies made the motions to have H2M do the study and all were in favor.

President of Council

Nothing

Solicitor

There is a \$4,000 tapping fee for Eastside Avenue residents where the new sewer line with laterals is going to be installed which will require those residents to then hook up to the sewer. There was at least one resident who

said that's a lot of money and they can't afford to pay that all at one time. The solicitor is not sure if council has done this or not but he has in other municipalities where they allow the residents to pay for the hook up over 2 years. Solicitor Nanovic suggested that at the meeting and said there would be a 2-5% interest charge for this which really isn't that significant if council is willing to do that.

What then typically happens is that we have the resident sign an agreement if they choose to not pay the full amount up front and place a lien on the property. After two years when they pay the full amount and satisfy the lien it will only add about \$120 or something to the \$4,000 and some people were interested so it is up to council what they want to do.

Councilors Ebbert/Traupman made the motions to allow the residents to pay over 2 years with interest and all were in favor.

Treasurer

Nothing

Committee Reports

Finance & Administration – Darryl Chairman, Melissa Co-Chair -- Nothing to report.

Streets, Buildings & Codes – Dale Chairman, Bessie Co-Chair – Nothing to report.

Police, Fire & Safety – Scott Chairman and John Co-Chair – Nothing to report.

Light & Power Committee – John Chairman, Scott Co-Chair -- commented on what was in Lonny's report.

Sewer Committee – Bessie Chairwoman, Darryl Co-Chairman -- Nothing to report.

Public Works & Recreation – Melissa Chairwoman, Dale Co-Chair – She had talked to Al who was under the impression that Johnnie wanted to have a 15-minute spot to park his car for making deliveries. Councilor Traupman said no he wanted a 15-minute spot for customers to park for pickups. Councilor Ebbert said then Al said he can put up a sign for that. She will tell Al to do so.

Acceptance of Officials' Reports

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

Approval of Accounts Payable

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

Adjournment

Motion to Adjourn the Meeting

Councilors Rehrig/Ebbert made the motions to adjourn at 8:22 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary

