

February 28, 2011

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, February 28, 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, Darryl Arner and Scott Rehrig.

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

Pledge of Allegiance

2nd CDBG PUBLIC HEARING

Jimmy Martino was present from the county to hold the 2nd hearing. The current anticipated amount for the borough in 2011 is \$101,940 for the project. This project is the loan repayment for the former Lehighon Junior High School. The administration cost is \$ 22,377 for a total project grant of \$124,317.

Visitors

Steven Ebbert of the Lehighon Fire Department was first to speak. He wanted to update council on the money that has been put into the fire station construction project. Mr. Ebbert provided council with a copy of his remarks from the previous meeting. Just to review some important information from the Strategic Plan by the fire department--they began planning for a new fire station in 1998. That was in accordance with the NFPA 1201, the guidelines that are established for a fire department. Prior to that in 1994 the borough signed and adopted the comprehensive plan on September 26, 1994 which pointed out that there was inadequate space for the fire department and a new fire station should be planned for in the future. Over 16 years have passed and the fire department has worked during that time to find grants, they worked with the former borough manager to do so. The most recent was trying to find a grant that was proposed by the Homeland Security called the Fire Station Construction grant which they applied for. In order to apply for it they had to purchase the property next to Fire Station #2 and they also had to hire an architectural firm in order to get a certified proposal and an estimated cost. Those 2 figures are on the front sheet. It shows the cost of what was spent to purchase the property and more importantly that they hired an architectural firm to do the estimate at a cost of \$3,217.50. With that cost, it is the figure being used in every grant they have applied for since that time. It is also the number used in applying for the gaming grant, the LSA money, the money they have been trying to apply for in RACP funding. So even though they invested that money, it was money that needed to be spent. Without that, they would not have been able to file and get those applications approved. Over \$20,000 was spent on a new exhaust system

that could be moved in to a new facility at a future date. Also, they have agreed to and put forth the money for phase 1 in the amount of \$50,000 for phase 1 to hire H2M architects and have agreed to pay for the construction manager for phase 1. That's about an additional \$7,000. We have committed to or committed an excess of \$234,000. The Borough planned for this over 16 years ago for a new fire station. The Memorandum of Understanding is on the agenda for approval tonight. With the property the social club is willing to donate valued at \$216,000 puts the total amount of over \$416,000 towards this project at no cost to the taxpayers. This shows everyone that we are trying to move forward without costing the tax payers money. Mr. Ebbert just asks that in the 2012 budget funds are put aside for this project to continue to move forward.

Councilor Rehrig said he does not think they can commit to anything until the bids come in. Mr. Ebbert said from everything he has presented to council to this point it has come very close to the \$1.7 million estimate. They are looking to build a functional building that will work for them. Nothing elaborate. When the people from RACP come in we will have 6 months to begin construction and if we don't take these steps to move forward it will not be possible to begin construction in 6 months. We are only able to be where we are now because we have put our ducks in a row and have been up front with where we are with the money on our part. That is why the fire department building committee has been trying to absorb these costs as much as possible and we have committed every available amount of money that we can.

Councilor Rehrig said he understands that. Mr. Ebbert said Chief Kuller and Attorney Nanovic made a very good point – you have the best estimate with a 5% contingency built into it so that you have a very good idea of what it costs.

Mr. Rodney Snyder of 145 Millway was here to complain about the stop sign again.

Mr. Charles Burke, owner of Windows, Doors & Blinds on N. 1st St. was next to address council. He was present to complain about the snow clean up. On January 26, 2011 the snow ended and 1st Street did not get cleared until the following Monday. On Tuesday the police are ticketing cars parked illegally but the snow was still not removed. Darryl Arner has not had the snow removed at his business and the police are out there giving him a ticket. When people are done shoveling out their homes they come down town to buy toilet paper, get prescriptions filled and get milk, etc. but they can't park their cars or get to the sidewalk. Work with me people.

Mr. Rich Dams of 207 N. 1st Street was next to address Council. He said he wanted to know about the parking meters on 1st Street. There are 2 hour meters and no residence stickers which he is willing to pay a yearly fee for to have a place to park. He does not believe it is fair for him to be at work and have his pregnant fiancé with 2 kids having to climb up and down 3 flights of steps every 2 hours in order to feed a meter. There has to be a better way.

Approval of Minutes

Corrected minutes of June 28, 2010

Councilors Rehrig/Ebbert made the motions to approve and all were in favor.

New Business

Motion to appoint Scott Rehrig as the Voting Delegate for PSAB

President Hunsicker said the alternate voting delegate will be himself. Councilors Arner/Traupman made the motions to appoint and all were in favor.

Motion to ratify the Memorandum of Understanding with the Lehigh Fire Company #1

Councilors Rehrig/Arner made the motions to ratify and all were in favor.

Approval to fly the Red Cross Flag during the month of March

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

Permission to send letter of interest to the Carbon County

Commissioners for involvement with the Joint Local Share Grant Application for the Radio Narrow Banding

Councilors Rehrig/Ebbert made the motions to send the letter of interest and all were in favor with no questions or objections.

Motion to approve holding the senior games May 2nd-May 11, 2011

The seniors will be using the Recreation Center and Baer Memorial Park for these events. Councilors Bauchspies/Ebbert made the motions to approve and all were in favor.

Discussion of Al Steigerwalt's letter regarding a new salt shed and revisions to the snow ordinance

Councilor Rehrig thinks the ordinance needs to be looked at and revised to be more explicit before they can ticket. The Solicitor asked if it is the ordinance that provides that they can't plow and Councilor Rehrig said yes. The Solicitor said they are working on that one.

President Hunsicker said he also thinks when they post for cleaning they need to post more signs.

The Borough Engineer said Mahoning Township puts out for bid what they are requesting in summer so they know what they are going to pay in the winter. Council thought this was a very good idea. Councilor Traupman said they are now doing the same thing where he works because they don't have time to remove the snow themselves.

It was also mentioned to have all the department heads in to go over what went right/wrong this year and how can we correct it for next year at the end of this season so we have a plan in place before the snow is coming down and we have the same problem again.

Discussion of Resolution No.R-003-2011 and the accompanying contract Re: Participation in the Amp Landfill Gas Energy Purchase

The Solicitor said the electric engineer said this makes sense. He knows that AMP requested a letter of interest that was sent in back in December. Now we need to send a letter saying yes we are committing to doing this.

Councilors Rehrig/Traupman made the motions to participate and all were in favor.

Approval of Lehigh Holding the 13th Annual Bike Nite on August 13, 2011

LDIC will be the local group in charge of the event. LDIC only asks that the borough will give the same help and assistance that was given to the previous group. Councilors Rehrig/Bauchspies made the motions to approve and all were in favor with no questions or objections.

Discussion on electrical service for the new fire station infill project

President Hunsicker said he had asked Lonny about a pole up there that should be moved to get his feelings on it. No one is sure where the electric will go into the building at this time. However, they are sure the pole will need to be moved. Lonny stated in his letter that he cannot legally move that pole because it has phase 3 wire on it which is the pole in the middle of the block. The fire chief said that Lonny's electrical engineer should look be brought in to do a study on how to accomplish this legally and correctly.

No decision was made at this time.

Approval of the Lease Agreement between the Borough and Lehigh Fire Co. #1

Councilors Rehrig/Ebbert made the motions to approve and all were in favor.

Continued Discussion Re: Debit/Credit Card Program

Tape recorder did not tape the rest of the meeting, going from notes. Nicole wants to see what PNC bank offers to compare to PLIGIT and the Water Authority will also need to be brought on board and agree to the change as the water bills will be part of the program. She will continue to look into this and be discussing it with council.

Approval of the release of excess 2006 State Aid in the amount of \$9,265.57 to Pennsylvania Municipal Retirement System as noted in recent audit of pensions fund

This was not in the budget and was accounted for incorrectly. Councilor Rehrig/Arner made the motions to approve and all were in favor with no questions or objections.

Approval to transfer from Light & Power Fund in the amount of \$150,000

The Treasurer will only take the transfer if necessary. Councilors Rehrig/Ebbert made the motions to approve and all were in favor.

Approval of purchase of 2011 Ford Crown Vic Interceptor

Councilors Rehrig/Bauchspies made the motions to purchase and all were in favor.

Unfinished Business

Continued discussion of Peter Turko's Project

The solicitor has heard nothing from Attorney Walbert to date on this project but will give her and her client until the May meeting before suggesting any action be taken.

Official's Reports

Borough Engineer

He emailed the proposed letters to the solicitor for review before sending them out to the residents that will be affected by the sewer project. A date, time and place need to be picked to hold the meetings. Bruce and Attorney Lavelle will be at the meeting and he wondered to know who from council will be attending if anyone. Councilor Traupman said he and Bessie should be there as they are on the Sewer Committee. Councilor Rehrig said he will be there as well.

Bruce said he has mailed the specs to John Davis for the street reconstruction to confirm using liquid fuels money for the project and is still waiting for the Highway Occupancy Permit from PennDOT.

As far as the salt shed, Bruce sent AL to East Penn Twp. to see theirs and get back to him with his thoughts on it.

Officer in Charge

The police will be doing aggressive driver program on South 9th Street this month.

Mayor

He told council they are working on the snow ordinance regarding snow plow permits. He also wanted to know if garbage is missed can the borough hold back paying them for the residences that are missed. They have missed him several weeks in a row and has called the 800 number but gotten no answer or been able to leave a message. The Borough Secretary will take care of it. The Mayor wondered if we could post the garbage company's contact information and collection schedule on the website.

Fire Chief

Nothing

President of Council

There is an addendum to the agenda, so we'll do that now.

Motion to approve CHE Mechanical 2011 Agreement for boiler maintenance

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

Motion to approve Resolution R-005-2011 pertaining to price adjustment of Bituminous Materials for small quantities

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

Motion to approve 2 additional bills, Wesco \$77.40 & prescription reimbursement \$20

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

President Hunsicker said we should appoint Bruce Steigerwalt as the temporary Zoning Officer until John Quinn returns.

Councilors Rehrig/Ebbert made the motions to appoint and all were in favor.

President Hunsicker asked for a motion to appoint Mr. John Quinn as the Building Code Official and Councilors Rehrig/Arner made the motions to appoint. All were in favor.

Solicitor

He advertised the Wind Turbine Ordinance No. 593 and it is ready for adoption tonight. Councilors Rehrig/Traupman made the motions to adopt the ordinance and all were in favor.

He also changed the setbacks to the Outdoor Wood Fired Boiler Ordinance No. 594 and it is now ready to be advertised.

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

Treasurer

She had nothing other than if council has questions on the bills submitted for approval and presented council with budget vs. actual for them to look over.

Committee Reports

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

Streets, Buildings & Codes – Dale Chairman, Bessie Co-Chair --

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 -- Nothing to report.

Acceptance of Officials' Reports

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

Approval of Accounts Payable

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

Adjournment

Motion to go in to Executive Session for Personnel Reasons

Councilors Rehrig/Arner made the motions to go into executive session at 9:50.

Motion to go back into Public Session

Councilors Rehrig/Arner made the motions to go back into regular session at 10:40.

Action on Any Items Necessary as a Result of Executive Session

Councilors Arner/Rehrig made the motion to pay the Treasurer \$1,000 a month in a separate check from October 1st until a borough manager is hired and all were in favor. No questions or objections.

Councilors Rehrig/Ebbert made the motions to have Dale and Nicole work up an advertisement for the borough manager position and advertise it in the Times News and Borough Magazine and all were in favor with no questions or objections.

Councilors Rehrig/Ebbert made the motions to accept Linden Rothstein's resignation as janitor for the Rec Center and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Rehrig/Arner made the motions to adjourn at 10:45 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary