

June 25, 2012

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, June 25, 2012. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: George Kogut, Bessie Bauchspies, John Kreitz, John Bird, Darryl Arner and Scott Rehrig.

Officials in attendance were: Borough Manager Nicole Beckett, Solicitor James Nanovic, Treasurer Kira Michalik, Borough Secretary Brenda Koons Mayor Donald Rehrig, Police Chief Neal Ebbert, and Fire Chief Gary Frable. Absent: Borough Engineer Bruce Steigerwalt

Pledge of Allegiance

Guest Speaker: Frank Potoczak

Frank Potoczak of Castle Grill and Secure Technologies addressed council with his proposal of starting a farmer's market along the bypass. With the closing of the Mahoning Farmer's Market and the issues Jim Thorpe's Farmer's Market has had, he is proposing an open air farmer's market one day a week in the borough. The farmers and vendors have no place to really sell the goods that they have. Frank's thoughts are that as you come down the bypass to detract from the left side putting something on the right side would be best. You have the long section of grass that goes back along Lehigh Drive and that would be a perfect place for an open air farmer's market on Saturday to capitalize on all the cars that are just blowing through that area with no reason to stop. They could pick up fresh groceries, fresh fruits or whatever they want to have.

For right now within the next 24 months Frank's goal will be getting donations and stuff like that and some of his own money to put up an open air pavilion with a roof and post and beam type of structure down the road to house the vendors. Frank is looking for input and to get the opportunity to do something that we don't have anywhere and capitalize on all the cars that are just blowing through.

With the trailhead coming in there as well more people will be drawn to the bypass and benefit the other businesses as well by getting them to slow down to see what is going on.

Frank also collected enough money from donations and one of his companies to put up a gateway sign over the sign coming in from Jim Thorpe because the other one is falling apart so he would like to put in a new one. He is working on a new tag line. He is loving the Gateway to Carbon County. When you look at Lehighon and what we have he likes that. He would like some input from everyone here. He put Gateway to Carbon County on it because he really feels where we are positioned and everything else. If someone else has other ideas please feel free to throw them out. Those are a couple of the fonts but he is getting a few others. We have had a Fountain of Opportunity for ever and he still thinks we are but feels we are also a gateway.

The borough manager had provided Frank with a copy of the new comprehensive plan and everything he is proposing is right in line with the

comprehensive plan. So we are right on board and he can work out the schematics of it all. Council thought it was a great idea.

Hearing of Persons Present

None

Approval of Minutes

None were submitted.

New Business

Motion to approve Resolution R006-2012 urging the Pennsylvania General Assembly to modernize the State Prevailing Wage Act (act 442 of 1961)

The borough manager said this is a recommended resolution from PSAB to send to our legislators.

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

Motion to approve cell phone use policy

The borough manager said they were also looking to add the clause in this policy that borough employees are expected to carry borough issued phones during working hours so employees are not using personal phones for borough calls. This came about for insurance along with issues within the departments. It is mostly with the insurance to protect us with driving and texting and the CDL drivers.

Councilors Arner/Rehrig made the motions to approve the cell phone policy with the addendum and all were in favor.

Approval of request from Beltzville Lions Club to hold Fall Foliage Festival and Hayride on Lehigh Drive

Councilors Rehrig/Bauchspies made the motions to approve the request with the stipulation that they contact the fire police and/or police for traffic control and all were in favor.

Motion to approve SS Peter & Paul holding their annual block party and Soap Box Derby Saturday August 4 and Sunday 5, 2012 Councilors Rehrig/Arner made the motions to approve the block party and all were in favor.

Discussion of Shade tree vs. Nuisance Trees

Councilor Rehrig asked for a definition of a nuisance tree. The Zoning Officer Steve Schickram was present to address this. He defined a nuisance tree as the one on South Main Lane where those trees that were just basically acorns that fell and grew over the years and are hanging over the street that trucks and cars go through and hit them as opposed to the same thing happening up on 11th & 12th Streets but they were planted by choice as shade trees. It is the way the community is up there.

His reason for bringing this up is that before he moves forward on it he wants some clarification and direction. The police and AI are being really good at giving this information to him that they see when they are pulling out at intersections - trees that are in their way, trees that are poking out, weeds, etc. Some homeowners have been able to take care of them and are very cooperative and some have not. Before he goes giving violations out or pressing the issue Steve does not want it to come back and someone say well up on 11th

Street that tree hangs over a certain amount of feet. He doesn't want it to come back on the borough.

Councilor Rehrig said he did ask several months ago that a sight distance be done in the entire borough by the police and public works but he still hasn't seen it. If there are violators for sight distance at intersection then immediate actions should be taken and the intersection should be cleaned. There are a lot of intersections in the borough that aren't clean meaning you don't have the left and right sight distance to look down the road. It could be trees, hedges or whatever.

Steve said there are some up by the school where there are a couple of house with trees that have been chopped down. Councilor Rehrig said we have to do the whole town. Steve agreed but wanted to know where we cut off with 11th & 12th Street and the community there. Is that a place where we want 10 feet of clearance or 20 feet of clearance? As opposed to South Main Lane where the cars are being scratched by them? Steve said but some of the trees by 11th & 12th Streets brush the NEMF trucks as they go by.

There was much discussion but in the end there isn't much in the ordinance that backs this issue up. The solicitor said that the borough can cut them back out of our right-of-way but unless there is something in the ordinance saying we can cite them for not cutting them back we cannot cite them. There may be something in the vehicle code that you can't have something cross into the rights-of-way.

The borough manager asked if council wanted to look into something where they could be cited and was told yes. President Hunsicker said but in the meantime we should send somebody to cut them.

Councilor Rehrig said that Bridge Street is getting bad again and the mayor said so is Gypsy Hill. President Hunsicker said that we should check with Mahoning and ask if they will come in and trim again like they did before when they have time.

Unfinished Business

None

Official's Reports

Borough Manager

The borough manager commended the police for their rescue efforts on Friday. They definitely deserve the acknowledgement.

There will be bid openings June 28th for the demolition portion of the project and a special meeting scheduled at 6:30 on July 9th to award it.

She had also provided some information on the time clocks to council.

The stonemason had opened up the fountain and light and power worked diligently through the heat on the project. Nicole thanked the light and power department for the hard work and the water authority for their cooperation.

We are also preparing for the police station dedication scheduled Friday, July 13. We are working with the chief and the mayor on that.

The borough manager said she has been approached by residents and council members regarding our property on Summit Avenue. We also have other vacant parcels and she is wondering if there is any interest in putting any of them on the books or do we want to sit on them.

LDIC gave a \$2,500 donation for surveillance cameras in the lower park. The new dumpster is here. Public works said we will be announcing our new procedures for the yard waste recycling program shortly.

The Local Share Account grant application period is open so if you have any ideas, please see the borough manager by July 13 to get that ball rolling.

The borough manager said she attended a mandatory pre-grant application meeting in Easton at the Heritage Corridor. This is not in her report but due to this meeting she is requesting support from council for the Lehigh Valley Greenways Landscape Grant application for \$20,000. It is a matching grant where we can use in kind services for the intersection enhancement and green beautification agreement down on the bypass for signage, trees, landscaping and an upgrade to the intersection.

Councilors Rehrig/Arner made the motions to approve the \$20,000 grant application for the intersection enhancement and beautification at the trailhead and all were in favor.

She was also contacted by the Lowe's Heroes Volunteer program about interest in the restoration of the Judge's Stand. Nicole spoke to their HR person on that and we will know in 2 weeks if there is anything they can help us with.

The borough manager also wanted to include that Attorney Nanovic had corresponded with council on the Jake Brake Ordinance.

Borough Engineer

Absent

Police Chief

Chief Ebbert elaborated with what happened on Friday. Officer DeFuso and our new part-timer Ryan Kennedy responded and performed CPR on the victims but unfortunately they passed. Letters of accommodation will be put in their personnel files for going into the river and getting the victims out with some assistance from citizens and performing CPR. It is part of their job and part of their duty but sometimes you need a pat on the back.

Chief Ebbert also met with Frank regarding the cameras for the lower park. They had met about 2 weeks ago in the lower park and discussed the different locations of where cameras could be placed. Frank would like to expand and put them on top of the municipal building so they show down into the lower park. The cameras were very clear and could be monitored from the office and could be remotely turned to get a panoramic view as well.

Mayor

The monthly Crime Watch Meeting is tomorrow night at 6:30 in the high school auditorium. Officer Arner will be giving a presentation on gang related information and tagging and things like that.

The Home Run Derby went fairly well. We changed it to an evening program and it will take some time for people to realize this but I think it will catch on once people start to realize it.

Fire Chief

Chief Frable said it is always good to work with the police department and they are to be commended for what they did.

President of Council

The new umbrella is up at the pool but it can't be used until it is grounded because it is near the water. That is the reason the baby pool was closed today.

Solicitor

Nothing to report

Treasurer

The new EMC insurance policy came today it is a quarterly payment of \$64,940.72; Judge's Stand invoices include \$16,500 for the roof, \$1,200 for landscaping. These need to be included on the bill to be approved.

The fire company bills are also included.

The audit has been scheduled for the week of August 13th. She and Nicole have been working with SafeChoice to get everything in order.

Councilor Rehrig asked if the Verizon bills are lower than they used to be with ATT and was told yes by the borough manager.

Committee Reports

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

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

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

Light & Power Committee – John Bird 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 – George Chairman, John Kreitz Co-Chair – George thanked Ron for the news article. He asked that council give serious consideration to redoing the lights at Baer Memorial.

Councilor Rehrig said he wants George to look into the solar panels for the swimming pool to heat the water and the new gym with bleachers and a banquet hall at the Rec Center while interest rates are low.

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/ Kreitz made the motions to approve the accounts payable plus the last minute invoices the treasurer added and all were in favor with no questions or objections.

Adjournment

Motion to go in to Executive Session for Personnel Reasons

Councilors Rehrig/Kreitz made the motions to go into Executive Session at 8:21 p.m. and all were in favor.

Motion to go back into Public Session

Councilors Bird/Rehrig made the motions to go back into Regular Session at 9 p.m. and all were in favor.

Action on Any Items Necessary as a Result of Executive Session

Councilors Kreitz/Kogut made the motions to advertise for a part-time clerk for no more than 25 hours a week and all were in favor.

Councilors Arner/Bauchspies made the motions to extend the probation period of the zoning officer for 3 months (until the end of September) and all were in favor.

President Hunsicker asked George and Darryl to meet with the police department for the police contract. Nicole said she will respond accordingly to the police department to set up a meeting in July sometime. She asked that both George and Darryl provide her with their schedules.

Councilors Rehrig/Arner made the motions to work out the details of the farmer's market with the borough manager and solicitor and all were in favor.

Councilors Rehrig/Kreitz to move Jeff Repsher to the light and power department as of July 9th and all were in favor.

Councilors Arner/Rehrig made the motions to hire Levi Stern as of July 2 as a maintenance operator and all were in favor.

Councilors Kogut/Kreitz to hire Ren Wentz as of July 9th as a maintenance operator and all were in favor.

The borough manager said that in all of this hire they are hired based on the AFSCME collective bargaining agreement. Levi and Ren will have to go through all of the pre-hire details. Jeff Repsher will over to lineman helper. Normally they would start out at 90% of the wage. Does that happen with Jeff already being an employee? Because it is 3-year bump up it goes 90%, 95 %, and then on the 3rd year you are at the 100%. The solicitor said that is for new hires and Jeff is not a new hire.

Nicole's other question is Ren has a CDL permit. Should he have his CDL license before we hire him and the solicitor said yes.

Councilors Kogut/Kreitz rescinded their previous motion to hire Ren Wentz and all were in favor.

Motion to Adjourn the Meeting

Councilors Kreitz/Bauchspies made the motions to adjourn at 9:25 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary