

September 26, 2011

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, September 26, 2011. The meeting was called to order at 6:30 p.m. by President Grant Hunsicker. Members in attendance were: Dale Traupman, Bessie Bauchspies, Melissa Wagner, John Bird, Darryl Arner and Scott Rehrig.

Officials in attendance were: Solicitor James Nanovic, Officer-in-Charge Sgt. Joe Lawrence, Mayor Donald Rehrig, Fire Chief Gary Frable, Secretary Brenda Koons and Treasurer Nicole Beckett/Kira Michalik. Absent: Borough Engineer Bruce Steigerwalt.

Pledge of Allegiance

Presentation by Ted Rose of Gravity Renewables Group RE: the hydro Electric Project

They are a consultancy firm who works with groups on renewable energy projects. Based on the presentation, Mr. Rose asked council to agree to let his company draw something up and start the program and report to council.

Councilors Rehrig/Wagner made the motion to allow Gravity Renewables to start the program and report back and all were in favor.

Hearing of Person's Present

None present

Approval of Minutes

Special Meetings of August 11 & 17, 2011

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

New Business

Motion to approve the Lehighon Touchdown Club holding the annual bonfire on Thursday, November 3, 2011 starting at 6:30 p.m.

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

Motion to award Salt Shed bid and 4 alternates to Nimaris Construction, LP at a total bid price of \$57,633.75

Councilors Wagner/Bauchspies made the motions to award and all were in favor.

Motion to approve Resolution R-013-2011 Setting salaries of Borough Manager and Treasurer

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

Motion to approve Resolution R-014-2011 Appointment of Police Pension Committee

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

Motion to approve the 2012 MMO Worksheet for the Police Pension

Plan

The Treasurer told council to be aware that there is almost a \$25,000 increase. It is based off of the new figures from the actuarial evaluation January 2011. That is only for the police. The non-uniform was only a \$1,300 increase and this is due to some unfunded liability when you are going through the report but the amortization requirement alone of \$37,000 was not on last year's report. The majority of state aid goes towards the police and we bring in approximately \$145,000 in state aid.

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

Motion to approve 2012 MMO Worksheet for the Non-Uniform Pension

Plan

This was the \$1,300 increase.

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

Motion to release the 2011 MMO for both pension plans

The Treasurer said it is pending receipt of state aid.

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

Motion to advertise Street Excavation Ordinance as written by Solicitor

Nanovic

The Solicitor asked if we have a fee schedule in place or not. President Hunsicker said we do and we have the forms that go with it.

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

Motion to amend Act 44 Compliance Handbook

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

Motion to appoint Attorney Schwab as the temporary Borough

Secretary for the Governing Bodies Comprehensive Plan Meeting October 27, 2011 only

Councilors Rehrig/Arner made the motions for the temporary appointment and all were in favor with no questions or objections.

Discussion of Borough website

The new Borough Manager, Nicole Beckett said she is very unhappy with Mark Barthel. There is no contract with him and he was asking for \$1,100 in addition to the \$5,000 that has already been paid for the website. Whenever she has emailed him something regarding the website he does not respond or if he does respond it's always "I'm sorry" and an excuse. There is always an excuse. So the website is not updated how we would like it. In turn Nicole went to Bobby O'Gurek in Summit Hill. She dealt with him previously for a website. Mr. O'Gurek is looking for \$40 a month for 3 updates. She knows he is efficient and will get them up right away. If a full web design change is desired, that cost would be \$600 compared to the money being paid now.

Councilors Rehrig/Wagner made the motions to have Mr. O’Gurek be the new website person and all were in favor with no questions or objections.

Councilor Rehrig said it has been brought to his attention that there are some places in the borough where indoor furniture is being used outdoors. The solicitor has looked it up and Hazelton and York have some kind of document. Councilor Rehrig would like Solicitor Nanovic to draw up an ordinance for the Borough about placing inside living room furniture outside on the borough sidewalks in front of houses and sitting on it so we can alleviate that problem in the borough.

Councilor Wagner asked if we had anything like that and was told no by the solicitor. Solicitor Nanovic said York did it under their international property maintenance code which we have so we would have to update our code. That one seems to be the better way to do it.

Councilors Rehrig/Bird made the motions to have the solicitor draft an ordinance to address outdoor furniture and all were in favor with no questions or objections.

Unfinished Business

Continued discussion of Peter Turko’s project

The solicitor said the borough sent him a letter asking that he replenish the money that was put into escrow and received no response. The solicitor will next draft a letter to him saying he is in default and at the end of that 30 day notice the solicitor will ask council for authority to file suit against Mr. Turko because the solicitor does not know what else to do with him. We get a lot of promises and his attorney says Mr. Turko will get something to us but never does.

Official’s Reports

Borough Engineer

Absent.

Officer in Charge

Sgt. Lawrence had 2 items. On September 17, 2011 there was a fire at Victory Estate Apartments. He had a letter of accommodation for the fire department for their quick response. Their quick response really helped save a lot of property and with implementing the Fire Marshall coming in.

He also had a letter of accommodation for Officer Scott Prebosnyak who was assigned the arson case and within 3 days he had the 1 adult and 2 juveniles arrested.

Sgt. Lawrence also wanted to comment on the pedestrian cross walks. The signs were approved and everything was given to Alton Steigerwalt who was planning on going to Allentown to pick them up. Joe contacted Al with a follow up call to see where the signs were and AL said he had to call a contact person in Allentown before going down to get them which he did and left a message and the contact person never called him back. Al is working on getting them. Sgt. Lawrence also said that a continental type crosswalk goes best with these signs which are the thick hash marks that go on the street and he gave that information to Nicole. Council agreed to have Public Works do this when the signs are placed.

Sgt. Lawrence also said Officer DeFuso and Officer Bender received letters of accommodation as well for an incident that occurred the other night resulting in them climbing the building to the second floor porch and taking the guy into custody.

Mayor

Trick-or-Treat night will be October 26, 2011 from 6-8 p.m. If residents want to have kids visit their houses they should keep their porch lights on.

Fire Chief

Chief Frable apologized for being late. He thanked Sgt. Lawrence for the recognition. It is what they train for.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

She said they will be submitting the Local Share grant application for the Fire Station construction project.

Nicole said she received the Volunteer Fire Relief. That comes in to our account and goes right out to the Volunteer Fire Association.

She also requested the \$150,000 budgetary transfer if necessary.

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

Nicole said council had received a letter from Solicitor Nanovic regarding the Judge's Stand. The issue is that the \$20,000 we have in grant funding will require us to meet all the local bidding requirements. We do have specifications drawn up for the project but is not sure they are as basic as needed. Mr. Drury could maybe proceed with this as phase 1 and get rid of the \$20,000 and proceed from there. The grant is for relocation, preservation and restoration of the Judge's Stand. Nicole is sure we can come up with something basic to advertise for bids.

Councilor Bird wanted to go on record as being against the project.

Committee Reports

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

Streets, Buildings & Codes – Dale Chairman, Bessie Co-Chair – The weeds and alleyways are being looked into. There are some legitimate complaints.

Police, Fire & Safety – Scott Chairman and John Co-Chair – nothing to report. Approximately 14 different intersections are being looked at. The list was given to Mr. Quinn.

Light & Power Committee – John Chairman, Scott Co-Chair – Nothing to report.

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

Public Works & Recreation – Melissa Chairwoman, Dale Co-Chair – The committee is looking into skate park regulations from the request made at the last meeting.

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 Arner/Rehrig 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/Traupman made the motions to go into executive session at 7:37 p.m.

Motion to go back into Public Session

Councilors Rehrig/Wagner made the motions to go back into regular session at 8:47

Action on Any Items Necessary as a Result of Executive Session

Councilors Wagner/Bauchspies made the motions to advertise for a full-time Zoning/Code Enforcement Officer and all were in favor with no questions or objections.

Councilors Wagner/Bauchspies made the motions to hire Neal Ebbert as Chief of Police. Under the question, Councilor Traupman asked if we didn't make a motion to advertise outside the department. President Hunsicker said that's right and that motion passed.

Councilor Bird then went to make another motion but the solicitor said he couldn't until the motion on the floor was voted on. Then another motion could be made. A vote was taken to hire Neal Ebbert as police chief and a roll call vote was taken with 6 yes and Councilor Bird-voting no. Motion carried.

Councilors Traupman/Rehrig made the motions to rescind the previous month's motion to advertise to hire outside the department and all were in favor.

Councilor Wagner called Neal to see if he still is interested in the position and Neal wanted to give it some thought. Council agreed to let him think about it and get back to them.

Motion to Adjourn the Meeting

Councilors Rehrig/Arner made the motions to adjourn at 9:00 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary