

September 24, 2012

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, September 24, 2012. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: 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 and Fire Chief Gary Frable. Absent: George Kogut, Borough Engineer Bruce Steigerwalt.

Pledge of Allegiance

Hearing of Persons Present

Mr. Rodney Snyder of 145 Millway was present to ask if any council member received a copy of his photos that he emailed to the borough secretary. President Hunsicker said he had seen them a few weeks ago. Mr. Snyder ask if any action was going to be taken on the curb. President Hunsicker asked what Mr. Snyder wanted done with the curb and Mr. Snyder said he wanted it to be put where it belongs. President Hunsicker asked Mr. Snyder if he wanted to pay to have the curb put back where it belongs and was told yes he did. President Hunsicker asked why he wanted the curb moved. Mr. Snyder said because it is 4 feet out into the street. President Hunsicker said that when the rest if the street gets done it will get done and not before then.

Mr. Snyder said that the pictures showed the situation that arises when cars stop there it reduces the amount of street. The stop sign was moved which now makes the street more passable.

Mr. Snyder then asked about the Jersey barriers. Nicole said the study is down in her office and he should stop and look it. President Hunsicker said the barriers are not on the borough's property. Mr. Snyder said his pin is there from when he had his property surveyed 45 years ago and the pins do not match. Mr. Snyder said if Bruce's pin is correct and the barriers are where they belong then Mr. Snyder's garage is in the alley. President Hunsicker said he does know the Jersey barriers are not the boroughs.

Approval of Minutes

No minutes were submitted.

New Business

Motion to approve LDIC holding a Harvest Festival Saturday, October 27, 2012 from 8 a.m. to 4 p.m. as part of the Farmer's Market

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

Motion to approve the Lady Lioness Pink Light Walk Tuesday, October 2, 2012 at 7p.m.(same requests as last year)

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

Motion to approve the Touchdown Club having their annual bonfire Thursday, November 1, 2012 at 6:30 p.m. (same requests as last year)
Councilors Rehrig/Kreitz made the motions to hold the bonfire and all were in favor.

Motion to appoint Brian Rubin to the Property Maintenance Board
Councilors Arner/Rehrig made the motions to appoint and all were in favor.

Motion to approve Blocker Enterprises Annual Fall Foliage Ride requests for Sunday, October 14, 2012

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

Motion to approve the 2013 Minimum Municipal Obligation Worksheet for the Police Pension Plan

Councilors Rehrig/Kreitz made the motion to approve and all were in favor.

Motion to approve the 2013 Minimum Municipal Obligation Worksheet for the Non-Uniform Pension Plan

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

Motion to approve Resolution R-010-2012 pertaining to the General Municipal Pension System State Aid

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

Motion to release the 2012 Minimum Municipal Obligation for both pension plans

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

Motion to award Sand/Stone Contract to -

Hanson Aggregates - #10 stone \$15/ton delivered, 2RC PennDOT spec \$12/ton delivered, Gabion \$19.25/ton delivered

Councilors Kreitz/Rehrig made the motions to award to Hanson as presented and all were in favor.

Lehigh Asphalt - #1 3 1/2" or under \$14.35 delivered, # 2" or under \$14.35 delivered, #8 washed \$17.25 delivered, #57 \$14.75 delivered, #67 washed \$14.75 delivered, #2A modified \$13.00 delivered, R3 \$19.50 delivered, R4 \$20.50 delivered, R5 \$21.50 delivered, R6 \$21.50 delivered, R7 \$24.00 delivered, R8 \$25.00 delivered, Type #2Anti-skid PennDOT spec \$13.50 delivered, 1/4" aashto stone \$13.50 delivered

Councilors Arner/Rehrig made the motions to award to Lehigh Asphalt as presented and all were in favor.

Motion to award Road Materials to - Lehigh Asphalt - Superpave 9.5mm \$64.40/ton delivered and Superpave 25mm \$55.40/ton delivered

Hanson Aggregates - 1/4" Cold Patch \$92.75/ton delivered

Councilors Rehrig/Arner made the motions to award road materials as presented and all were in favor.

Motion to advertise the ordinance amending the errors in Ordinance 260A and 261A

Councilors Rehrig/Kreitz made the motions to advertise and all were in favor.

Motion to remove Article X, §213-81 from the Lehighon Borough Ordinances pertaining to pedal cycle prohibited areas

The solicitor said that it is part of an ordinance so to remove it from an ordinance you need to advertise to have a new ordinance to remove it. You can make a motion to advertise.

Council asked what was covered under these sections of the ordinance. Nicole there is an ordinance in place prohibiting bicycles on 1st Street from Iron to Coal Street and on North & South Streets from 1st to 2nd. We are looking to remove that ordinance. It is antiquated yet from when business owners were bigger down there and we are also promoting the D&L Bike paths to come into our downtown.

Chief Ebbert said to keep the license part of the ordinance in because they still have residents getting the licenses. They don't have a lot of them but they do have some.

Nicole said we also have our own bike patrols on 1st Street now which are violating our ordinance. We have time if we want to table this for now and bring it back.

The mayor said we may want to keep the unclaimed property though so we can get rid of the bikes periodically. Chief Ebbert said at the old sewer plant there are a ton of bikes so we should keep something in there that addresses the abandonment and disposal of bikes under §213-90. Council decided to have the solicitor look into the state vehicle codes and tabled this item until next meeting.

Motion to demolish old sewer plant

Nicole said this is really a motion to draw up technical specs to demolish it. That is what the Sewer Authority is looking to do with it. Councilors Arner/Bird made the motions to table this item until next meeting to give the solicitor and borough manager more time to look into the situation.

Approval of proposal provided by H2M for the redesign of the Fire Station Project

After much discussion, council decided to only go up to \$3.5 million for the project. The solicitor said we can certainly say we agree to the percentage times the \$3.5 million plus the \$64,000 and that's it.

Councilor Rehrig/Kreitz made the motions to approve the construction costs to not come in higher than \$3.5 million plus the \$64,000 and all were in favor.

Discussion and interest in pursuing regional ordinance consistency with the Central Carbon County Regional Comprehensive Plan

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

Discussion and decision on the Transient Business and Push Cart Ordinances

Council discussed the tents and the non-profit events. They felt that any food being served needs to have the state or borough health license. They also wanted a financial report from the person in charge of the Lehighon Farmer's Market at the end of the season. Council decided to leave the ordinance as is.

Approval of Police Collective Bargaining Agreement for the period of January 1, 2013 through December 31, 2017

Councilors Rehrig/Kreitz made the motions to approve the agreement subject to the solicitors review and approval and all were in favor.

Unfinished Business

Jake Brake Ordinance

Council decided not to do anything further.

Official's Reports

Borough Manager

Every thing is pretty much in her report. Council was asked to pick their favorite bench from the bench painting contest in the lower park and the deadline to make their choice is October 5, 2012. Prizes will be awarded October 6, 2012. The Halloween Parade will be held at 2 p.m. this year.

Borough Engineer

Absent

Police Chief

Chief Ebbert thanked the neighboring police departments for their assistance with the shooting on 1st Street. Mahoning, Jim Thorpe, Palmerton and the R&I Unit from the State Police; the coordination was great as we only have 1 officer on duty at that time of night.

He also thanked the borough mechanic for his speedy response to putting 2 of the cars with dead batteries back into action so quickly.

Mayor

The monthly Crime Watch Meeting is tomorrow night at 6:30 in the high school auditorium.

Fire Chief

Nothing

President of Council

Council is invited to the Allentown Museum October 6, from 6-8 p.m. for the Franz Kline Exhibit. Also on October 6, at noon the new dedication at the Annex for Cpl. Houser will take place. Also the electronic recycling is going on today and tomorrow from 2-6 p.m.

Solicitor

Nothing to report

Treasurer

She wanted to stress her discussion with the auditors concerning internal controls. There are a few bulleted items they would like us to continue to follow through with and they are pleased with the changes we have made. Kira and Nicole will be attending the Benecon meeting on October 4 but it is really on October 2 and she just wanted to correct the date.

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 –
As George was absent. Nicole reported that George has a meeting scheduled
with the school district superintendent on Friday, October 5 to go over some of
his ideas as far as collaboration of the synergies between the borough and the
school board for the youth. A pastor from a local church has been in contact
pertaining to a youth program and they are looking for some community
projects.

The Special Olympics had approached Tom and are working through
George to get a bocce ball court at Baer Memorial. He is moving forward with
that. There is a grant that is available and have moved forward with it.

Acceptance of Officials' Reports

Councilors Kreitz/Rehrig 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 go in to Executive Session for Personnel Reasons

Councilors Kreitz/Arner made the motions to go into Executive Session
at 8:40 p.m. and all were in favor.

Motion to go back into Public Session

Councilors Bird/Kreitz made the motions to go back into Regular Session
at 10:11 p.m. and all were in favor.

Action on Any Items Necessary as a Result of Executive Session

Councilors Rehrig/Bird made the motions to extend the probation period
for Steve Schickram until December 31, 2012 and all were in favor.

Councilors Rehrig/Kreitz made the motions to increase the Treasurer's
salary to \$43,000 for the period of October 1, 2012 to December 31, 2013 and
all were in favor.

Councilors Kreitz/Rehrig made the motions to increase the Borough
Manager's salary to \$75,000 for the period of October 1, 2012 to December 31,
2013 and all were in favor.

Councilors Kreitz/Bauchspies made the motions to modify the Borough
Manager's contract dates to October 1, 2012 thru December 31, 2013 and all
were in favor.

Councilors Rehrig/Arner made the motions to adopt Resolution R-011-2012 pertaining to Borough Manager and Treasurer pay increases and all were in favor.

Motion to Adjourn the Meeting

Councilors Rehrig/Arner made the motions to adjourn at 10:20 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary