

January 11, 2024

The special meeting of Lehighton Borough Council was held in the municipal building on Thursday, January 11, 2024. The meeting was called to order at 6:30 PM by President Grant Hunsicker. Members in attendance were: Dave Zimmerman, Autumn Abelovsky, Rebecca Worthy, Ryan Saunders, John Kreitz and Steve Hawk.

Officials in attendance were: Borough Manager Dane DeWire, Borough Secretary Brenda Kreitz and Police Chief Troy Abelovsky. .

NEW BUSINESS

Reopening of the 2024 Budget for reevaluation

The Borough Manager said it was open for discussion. Councilor Abelovsky said her reason for wanting to reopen the budget was that she feels we are not putting funds aside in our Capital Project fund for Public Works and the police department fleets. The fire department does their strategic planning and she thinks it would be a good idea if we did the same and budget for these types of items. She also saw there was no money allotted for even though it has been talked about for years and that was the pole building for Public Works. For those on council that are new, she talked to Kris about it to be sure she had her facts straight and Kris said a few years ago we spent \$30,000 in engineering for the project and never did the project.

Dane said he found the estimate to construct today. It's basically \$100,00 building cost, \$120,000 something or the whole thing is \$250,000 building cost. Everything is ready to go, KCE put it together in he thinks 2020. Ultimately the engineering is done. It would be the project and material costs. Autumn's question is, does the engineering ever expire? Is there a point in time when it becomes obsolete and we need to redo it? Dane said that is up to the firm and the engineer himself. Realistically you would probably have to send someone out to confirm what's on the drawing matches. If that engineering firm won't uphold it the next engineering firm could come in and say yeh we'll take what's already done and give us a charge to say what's already done is good. He will ask Eric to reevaluate this if we add tax millage. Autumn doesn't want to see money we already spent be thrown away. Councilor Saunders asked how we paid for it and no one knew. President Hunsicker asked why we couldn't just add on to the building that is already there. Dane said he thinks it's the old age of the building and maintenance of it. At the end of the day, we will still have an old structure. Grant said we can't keep building new. Dane said this is not an option to do without a tax increase.

Autumn said she isn't saying to do this now. She just wants to start putting money aside to do it in a year or two. Councilor Kreitz agreed with Autumn about starting the process of budgeting for these items now. Councilor Worthy said with the increase in the garbage and

the 5% increase in sewer we should not be raising taxes this year because it won't be beneficial to our residents. She feels next year would be better. Autumn played devil's advocate asking what happens when we need something else next year? Becky said unless someone falls over dead or resigns this will be the same council next year. So, if we have the intent to do this now then we won't be able to agree to do this next year.

Becky is looking at, yeh we put it up a mill equaling \$45.15 but her rent isn't going to go up \$45.15 it will go up \$100 or \$75 and a double garbage bill. 60% of borough residents are renters. John said he would be in favor of a ½ or ¼ mill. Anything to start getting us ahead by putting it aside and strictly sticking to our budget.

Becky asked if instead of putting taxes up pull the \$1.15 million transfer budgeted for up to \$1.3 million and put the \$.15 million towards this. John said the problem with that is we have an aging workforce in L&P and they are going to retire and when they do we are done.

Councilor Hawk asked what John meant by "then we are done." Becky said to be on the line you need she thought 5 years of training. Ryan agreed saying you have to make them. Becky said there are only 2 young guys on L&P. Dane said he spoke to Lonny about training and asked him to look into the price of sending people away. In the past it has been that the borough pays for the person's wages and training. Dane looked up the starting and ending salary for a 4th year. They will start around \$52,000 with overhead and training in tandem it would cost the borough less than \$75,000 per person per year to train. Lonny said they can train 2 people at once possibly a third in the additional year. So, you're talking about for the first year if we were to hire 2 people to be prepared for people to leave \$150,000 to train them and have them here and then next year a third. So, you are talking about \$150,000 this year \$225, 000 and then the next 2 years would be \$225,000 and then it would be if 3 people leave you work them in the system. We budgeted \$1.5 million last year. This year we budgeted \$1.15 million so that's a difference of \$350,000. If we take a full \$1.5 million and pay for 2 new employees, we are still left with \$200,000. Becky said we could start for Public Works and not have to increase taxes this year.

Dane said for what it's worth he spoke to Cathy and at the end of 2020 we had \$250,000 in the checking account between then and now we have gone to \$1.5 million in the checking account and spent \$650,000 on a transformer this year. We are making money but are we making enough? That's a discussion for council to have with Lonny. We are not going to take more than we are taking in.

Dane then went over some other big ticket items for the budget. Troy had mentioned bringing back his fire arm, ammunition, radio equipment and civil service fees that were cut down to more like what we were spending over the past few years but if he is looking at hiring 2-3 new officers we're going to need those line items replenished. He has in there the \$250,000 pole building, hiring and training of L&P employees. We have to put some money aside if we continue having a sitting sewer authority. As it stands right now they have basically run out of money. They are not an active authority according to their paperwork so we have to

make the decision as to whether they are going to reapply or if the borough is going to absorb them. We are waiting for Greg Mousseau to provide more information on that but a couple thousand dollars will need to be put aside for yearly stipends and lawyer fees. Autumn brought up the codification of our ordinances. This year we spent like \$4,000 on it. We spend \$1,200 on this every year as a service fee to maintain our electronic code. Since the Rental Inspection Program was kinda halted we haven't been codifying any of our stuff. That was going to be a big ticket item. We kinda wanted to send it away. Now we have a stack of ordinances that haven't been codified. Autumn brought up a good point. None of our zoning laws are codified. When we tell people to go on our website to look up permits it's not there. Dane said he kinda cut that back in the budget because we haven't been using it. Well, if we are opening, looking for a tax or a transfer that is something that needs to be looked at. The end all is we need to put money aside for bridges, roadways and sewer repairs. These grants we are getting for I&I aren't going to cover everything. We are going to incur costs outside of the scope of the grant contract that we aren't going to be able to use that money for. Currently we have some liquid fuel money set aside for those projects but it is never enough.

Dane looked into a question Autumn had from the 2021 budget where \$40,000 was put aside and has since been absorbed elsewhere. It wasn't used in past budgets and in this budget he put it on the engineering fees because Keystone and asked for a \$50,000 retainage fee in case the bids came in high. Today he got the bids back from the County and they came in over \$100,000 less than what he had been given. So realistically we are sitting \$120,000 in the green; \$80,000 if they include all the addendums. So, \$80,000 is more than \$50,000 so realistically we could use that money elsewhere provided we are given the blessing by the County. He is sitting with David Bodnar tomorrow and Dane did ask if we could use that money for raw materials only. Dane is thinking about asphalt. We got all the equipment to do so and David said it is a lot of paperwork but it can be done. Even if we can't generate the money there is a possibility that we can use the surplus of our DCED funding to do so. We will be under budget for the demolition project so we can allocate the \$40,000 back to where we originally anticipated it to go.

Councilor Saunders said in addition to the money back in. In the original budget the correct amount for the garbage was not in it. Dane said yes the \$150,000 for the garbage that we have to pay wasn't in there. The original 3%; it was a drop in the bucket compared to the actual cost wasn't in there. Ryan said \$150,000 will come back; potentially \$33,000 a year will come back to us that is not assigned in the budget here and (Becky said correct) That was already balanced that was coming back to us and Dane said no. We are already paying the \$150,000 correct or not? Ryan said we are not. It was budgeted with only the \$4.7 million so we are good there.

Autumn said for the people that are relatively new, she was looking a certain items in the budget because a previous borough manager would provide us with a "projects & goals" sheet of things accomplished, in the works or still on our radar. Every single meeting someone

comes to ask for something and our response is when we have the money. Her hope is that when the budget is being looked at these items can be looked at when doing the 2025 budget.

Chief Abelovsky said the previous chief had put in for a \$28,000 LSA grant for body cameras. He was awarded that grant but it is a matching grant so the borough would have to put in \$28,000 into it to get \$28,000 out of it. This was not factored into the budget when they initially when over his department. In addition to that the camera system they acquired was back in 2017 and we already have 4 of 12 cameras not working. It is an outdated system. We are about 3 camera systems behind when it comes to technology. He contacted the original company and worked out a deal where we could get a new processor in and cameras. The whole project the previous chief had in place was going to cost about \$70,000 to outfit everything new again. Troy was able to work out the pricing with the \$28,000 grant but with the required match he doesn't have it unless it is taken from somewhere else in his budget that will be a new problem he will have somewhere down the road. Becky asked when the grant expires and was told it was for 3 years and 1 year has passed already. At this point in time, he did not sign the grant funding letter. He has to call them back by the end of the week to let them know if we will be moving forward with it. He realizes that once you apply for a grant like this or don't use it to its full extent the chances of getting that same type of funding is probably slim to none. Dane said if we are opening the budget up and finding more money somehow everyone is going to want a piece of it. It will be a big pie chart. We really need to hash out how its going to be handed out.

Councilor Hawk asked to be educated on the transfer from L&P to General Fund. Dane said if you look at the budget it is zero looking at every fund. we have an L&P fund, General fund, Sewer fund, and Capital projects. If you go through the entire stack that you received a couple of weeks ago you will see everyone broken down. On the last page Dane has a final total of all the in's and all the out's and the net total for each fund. When you add up all the funds it comes out to zero or very close to it. The L&P fund specifically is our biggest money maker. We are taking from it and never putting it back. It's never leaving the borough and zeroing the budget as a whole but it is basically taking from it to pay for other things to the detriment of our reserve. At one point in time when the value of a dollar was higher we were able to insure our own grid. Now there is not enough money to insure our grid so we pay more in insurance in the case of catastrophe. So, it is always better to not take it ya know but on the other side of the coin that is always money that is sitting there that everything else in the world is getting more expensive but we are fortunate to have it but it comes with a responsibility.

Councilor Hawk summed up the explanation as we are harvesting the profit and was told yes. Ryan said because we have our own subsidized electric it is a revenue generator for us as well as the tax levy. We try to use other revenue sources like grants, tax levy etc. to operate the borough. Most times there is not enough so we pull from what we make on the electric side of it to help balance the budget. Historically, prior to himself and Councilor Kreitz, council has always tried to balance the budget utilizing L&P income. Because of not being

responsible in raising taxes incrementally instead we just kept taking more and more and more instead of doing things right by incrementally raising taxes to take less from electric. For at least the last 15 years we have had to use it to balance the budget without raising taxes. We don't have many people living in the borough making \$150,000 a year. For us it seemed wiser to take care of our residents by using our electric revenue without hurting the borough and the residents as well.

Ryan said we try to keep as much money in the electric account as possible because equipment is not cheap. We just purchased 2 new transformers. Steve asked who paid for the transformers and was told the borough through the L&P checking account. Becky felt the previous borough manager just pulled from that account as needed and that is why we are where we are now. So as long as we are not doing that going forward we should be in a better position.

Councilor Kreitz said he knows no one wants to raise taxes but if we look at what's happened over the last 8 years he would like to know what's our crime rate now as opposed to 8 years ago. We have much different issue now in this borough. Becky agreed but told John that it's everywhere. John said he can't go by every other where he has to go by Lehigh and Ryan agreed. If you take a ride down any street you will see violations like never before. He is in the borough every day and correcting that is going to be the biggest expense that is hard to budget for and our biggest expense for the next 10 years. Dane said we are budgeted for a full 13 officers including the chief and we are not up to that. Becky said she believes it was agreed to hire 3 new officers and Dane said yes after Svetik leaves we can do that. Dane said the \$800,000 is based off of 10 officers. We have the money for 13 officers including Troy budgeted for right now. Troy agreed it read more like 14 total. Dane said he was more worried about the numbers than Nicole's notes from 15 years ago. Dane said a year from now the notes will be up to date but he only had time to do one of those two things at the present.

Troy said he is ready to hire 2 new officers now and is working with Civil Service to have an advertisement before the end of the month, take applications for about a month, set up testing sometime in March and hopefully till all is done Troy can get someone on the road by April. His training process will take 3 months so by July they should be ready to go.

Dane asked John about the 20% required by PSAB to go to our emergency responders you could 100% say that we are funding our police with L&P and was told yes by John and Becky. John said he was only pointing out that you could allocate those funds without a reason as to why you are going to put a tax on. Dane said he doesn't think if we increase the millage rate that 20% of that has to go, it just has to show in the budget.

Autumn said she is fine with transferring more of the money but she is going to piggyback on what Ryan just said about we should have been doing small increments all along and sticking by her guns saying she thinks we still need a small increment of tax. Ryan argued that we are already putting enough burden on our residents with the utilities. Steve said he thought that was what the garbage cost was. And Ryan said no. Dane said there was no

revenue. We doubled the cost because the collection/contract cost was doubled. Ryan said there was profit in there. He knows we were generating a profit with the last contract. Becky said we are not with this contract. Dane said we may have been but he would have to look.

John said the garbage contract is for 5 years. People in Mahoning Twp. don't have a choice if the company decides to raise their rates. We kick the can down the road every year. When Nicole was on she would tell us every year that council needs to get serious about putting an increment on every year no matter how small to stay ahead of the curve.

John brought up another point about the salary resolution to be acted on tonight and the fact that we will vote to give away taxpayer dollars to the employees. That's a tax in itself to the residents because we aren't bringing in anything more to recoup it; we are just giving more away.

Autumn said after the last meeting in her mind she felt we needed a 1 – 1 ½ mill increase. Taking everyone's ideas and suggestions Autumn thinks maybe taking a higher transfer from L&P with a ½ mill increase. She also brought up the \$400,000 from another municipality. Grant said we have gone after them a number of times and they don't pay it. Autumn said this dates back to 1996. \$406,822.23 is the total that is owed. The Treasurer confirmed that this municipality's auditors call us every year asking if that money is still owed and we tell them yes every year but we don't collect on it. Councilor Zimmerman asked what interest rate is going to be put on that because that municipality basically have a loan with Lehighton Borough. Autumn asked if we could put them on a payment plan or could they take out a PennVest loan? Most thought these were possible options. She can't see letting this continue. Becky said they also still pay electric to the borough and Dane said he believes just water. He isn't sure how many of the residents in that municipality pay for water but he knows bills do go there and he thinks also to Jamestown. Autumn just learned of this about a month ago. Dane said his 1st week he heard the rumor but wasn't in a place to bring it up. Becky asked Dane if it was something he could work on and Dane said he would try to get something in motion but it won't come all at once it could be \$10,000 over 40 years but it can't be considered an income source right now. We need to decide what we are going to do now whether it be raising the transfer or adding millage.

Ryan said there are a lot of things we need and a lot of discussion we need to have but we aren't going to raise taxes and haphazardly disperse it to all of these things. It's just not going to happen. He would be more in favor of raising the transfer, holding the tax levy where it is for 2024, letting the residents get acclimated to the new garbage and sewer bills while we dig deeper into what we are going to add in 2025 and Becky agreed.

John said from the people he has spoken to; he thinks they will be ok with an increase as long as they see something done with it. I.e. streets being paved, more police presence, etc. Then they know council did something with the tax money.

Autumn suggested a \$1.3 million transfer with a ½ mill increase in Capital Projects for a pole building. Dane said if we are going to raise the transfer to \$1.5 million then we need to allocate some of that to hiring new L&P employees and Becky agreed.

Autumn said if we do the \$1.5 transfer she would be ok with \$40,000 set aside for a pole building in capital reserve and \$200,000 for L&P recruitment and whatever is leftover be used where needed. Becky said it would be \$225,000 for 3 new hires. Becky was ok with this.

Dane said if we are going to raise the transfer to \$1.5 million then we need to allocate part of that to L&P new hires and Ryan agreed.

Councilors Saunders and Worthy agreed to adopt the 2024 budget with a \$1.5 million transfer from L&P to General Fund, no tax increase, \$40,000 for Public Works, enough for 2 employees for L&P recruitment and the remaining funds dispersed among the hands that still need as it is good for all sides.

Discussion on Date to Reschedule March meeting

Council decided on March 11, 2024 at 6:30 as the new date due to council attending a training on March 4th and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel

Councilors Saunders/Worthy made the motions to go into Executive Session at 7:30pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Kreitz/Zimmerman made the motions to go back into Regular Session at 8:30pm and all were in favor with no questions or objections.

Motion to Appoint/Reappoint the following Borough Officials

- A. Dane DeWire, Borough Manager
- B. Brenda Kreitz, Borough Secretary
- C. Cathy Smith, Treasurer
- D. Kim Rubin, Assistant Secretary/Treasurer
- E. Lonny Armbruster, L&P Supervisor
- F. Barry Fisher, Assistant L&P Supervisor
- G. Kris Kunkle, Public Works Supervisor
- H. Jeffrey Smith, Assistant Public Works Supervisor
- I. Tom Evans, Recreation Director
- J. Joe Flickinger, Emergency Management Coordinator
- K. James R. Nanovic, Solicitor
- L. Berkheimer – Tax Collector for Earned Income Tax & Local Service Tax
- M. Barry Isett & Associates, Zoning/Code Enforcement Officer and BCO
- N. Barry Isett, Health Officer
- O. Patrick Mriss, Fire Chief
- P. Michael Mriss, Assistant Fire Chief
- Q. Troy Abelovsky, Police Chief
- R. Karen Reichard, Police Administrative Manager
- S. Times News, Official Public Notification
- T. System Design Engineers, Sewage Enforcement Officers

Councilors Worthy/Hawk made the motion o appoint/reappoint the list with the exception of tabling “N” until February and all were in favor with no questions or objections. Councilors Kreitz/Abelovsky abstained.

Motion to adopt Resolution R4-2024 setting salaries for FY 2024

Councilors Worthy/Saunders made the motion to give a 3% increase to all non-contractual employees and to meet the contracted amount for contractual employees. Autumn asked if this was to adopt the resolution setting the salaries and Ryan said yes. Autumn said we could have just done that. Becky then made a motion to adopt Resolution R4-2024 and Ryan seconded the motion. Grant repeated the motion saying “giving a 3% raise to all non-contractual people and all agreed. Councilors Kreitz/Abelovsky abstained.

Motion to advertise 2024 Budget with Modifications

Councilors Abelovsky/Hawk made the motions to advertise the 2024 Budget with the following modifications with a \$1.5 million transfer from L&P Fund to General Fund and all were in favor with no questions or objections.

Continued discussion on Carbon County Action Committee

Councilor Abelovsky had said at the last meeting she was going to be part of a zoom meeting with CCAC regarding the homeless situation and the Point in Time Count that will occur on January 24th & 25th. She and the police chief attended the meeting and there were a lot of people involved in it from a lot of different organizations. It was a great starting point for a homeless task force. The Point in Time Count is basically a homeless census for the County. Leighton’s count is January 24th from 4–6 pm at the Tailhead. They were trying to figure out how to get the people from “tent city” to be counted and asked a few questions. The reason for the count is so the County can then get funding to help the population. Last year they weren’t able to get the word out to people as much and only counted 4 people. We all know there is more than that down there. The police chief and another officer who had already been down to “tent city” and had a rapport with some of the people had offered to go down the day before the count and let them know this was going to happen and invite them up. For reasons she cannot explain they declined that offer. CCAC has since made their own contact with people down there and made them aware of when and where the count is going to occur.

Autumn said she will not be available that night but hopes that the other council members who said they would participate will follow through with taking the required training consisting of reading a power point presentation she can forward to them. Becky confirmed she and Dane would be needing the training. Dave said he has to check his calendar because he would be interested in participating also.

Becky asked if we have an estimate of how many people reside down there. The chief said they were just down there last night. Officer Pryce said it’s about 20–25 but after last night it’s down to 19–24. Council was surprised by the number. Officer Pryce said there is a self-appointed “mayor” of “tent city” and when the Catholic Charities come down on the buses this “mayor” takes all the stuff and makes them actually do labor to get the food. Officer Pryce was in their house or cabin you might call it with a wood stove in it, couches and cots. It’s

built out of tarps and tent trees. It's not ideal but it doesn't seem like it's too homeless per say. It's more like going out in the woods to a cabin is more what it is like down there. Autumn said she thinks this situation is a lot more than we could even imagine. It's more than just tents, they have erected structures down there. They are burning what they can to stay warm. Dane said he has had several complaints. The Carbon County Emergency Management had reached out to DEP and we have received correspondence from them saying this is happening in your borough. Councilor Saunders asked if this is happening in the borough or on County property. Dane said it is on County property within the borough limits. Autumn said she received an email from Commissioner Wayne Nothstein about the number of complaints received by the County that he has scheduled a kickoff meeting for January 26th at 9 a.m. to reorganize the Home Task Force. Autumn didn't feel she was the best person to sit on this task force but hope someone else will. Dane said he would do it. Dane said if this is a continuing issue what happens next and was told fines could be issued to the property owner.

Motion to Adjourn the Meeting

Councilors Saunders/Abelovsky made the motions to adjourn the meeting at 8:50pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary