

November 1, 2021

A regular meeting of Lehigh Borough Council was held in the municipal building on Monday, November 1, 2021. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Ryan Saunders, Autumn Abelovsky, Donnie Rehrig and Darryl Arner. Absent: Councilor Lisa Perry, Solicitor James Nanovic and Recreation Director Tom Evans.

Officials in attendance were: Borough Manager Nicole Beckett, Borough Secretary Brenda Kreitz, Borough Engineer Bruce Steigerwalt, Police Chief Brian Biechy, Mayor Clark Ritter, Fire Chief Patrick Mriss, Light & Power Assistant Supervisor Barry Fisher, and Public Works Supervisor Kris Kunkle.

Pledge of Allegiance

Guest Speakers: Bambi Elsasser, Carbon Chamber and Economic Development Corp. – Lehigh Downtown Partnership Update and request to host Business Holiday Storefront Decorating Contest with 4 Commercial Winners at \$100 Awards

Ms. Elsasser said she wanted to give a wrap up of a few things she is working on with the Downtown Partnership. Rocktoberfest started out well until the rain. We might move it up a week or two next year. This will be discussed at their next meeting. She thanked Public Works and Light & Power for all their hard work helping to get things ready for the event.

The Winter Market is in full swing at the Rec Center on the 2nd and 4th Saturdays of the month from 10 until noon.

They will be working with Parks & Rec on the Christmas tree lighting and Christmas with Santa and a Business Decorating Contest. Ms. Elsasser is asking permission from the borough to donate 4 \$100 credits to their electric accounts for the winners in the downtown and 2 \$100 prizes for businesses throughout the district. The Carbon Chamber and Economic Development will be hosting 5 Nights in Carbon for Christmas Shopping. Lehigh's night will be Saturday, December 11th and the kickoff of the partnerships 2nd Saturday event. We will encourage all businesses to stay open until 9pm on those Saturdays to generate more business. We are working on events for 2022 along with signage, promotions and beautification of the downtown.

Councilors Abelovsky/Flickinger made the motions to approve the contest with 4 Downtown Winners and 2 winners located throughout the town and all were in favor with no questions or objections.

HEARING OF PERSONS PRESENT

None.

APPROVAL OF MINUTES

Regular meetings of September 13 and October 4, 2021

Councilors Arner/Saunders made the motions to approve the minutes as presented and all were in favor with no questions or objections.

UNFINISHED BUSINESS

Motion to approve the Cowbell Cyber Insurance Quote in the amount of \$11,436

Nicole said our broker did try to obtain three proposals but only one was received. Councilor Perry's vendor would not provide a proposal either.

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

Follow up on Cat Ordinance

Nicole said at the last meeting council said they would be researching it. Our solicitor did send out an email last week giving two different options – put it within a nuisance ordinance where we could define the number of animals but the problem would be enforcement as you would have to prove it in court, etc. The other option is to add it to our zoning ordinance which he feels would be the better option. A kennel is a building structure which houses more than “x” number of cats or dogs.

Councilor Rehrig asked how a resident would file if they had a complaint. Nicole believes a code complaint would be filed with the zoning officer that could be enforced within the zoning ordinance. The adoption of an ordinance through zoning would not happen as fast as a normal ordinance would be passed. We are probably a few months out with this until it goes through Planning and comes to council.

Councilor Abelovsky likes the idea of a set number of animals because it is very cut and dry and it would go through zoning and other members agreed. Mr. Robert Schoenberger of 235 North 4th Street asked about the responsibility. He lives in a half double and

has no pets. If his home were to get infested with say fleas would there be anything that would make the other party responsible to clean up the situation and/or pay for an exterminator. Council felt that was a civil complaint.

Councilor Abelovsky asked how we come up with the numbers. Nicole said the solicitor can provide a couple of examples of a draft ordinance. Right now, council needs to make a motion to authorize the solicitor proceed with an additional amendment to the zoning ordinance addressing this issue. Councilors Rehrig/Saunders made that motion and all were in favor with no questions or objections.

NEW BUSINESS

Approval of 2022 Meeting Dates

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

Consideration on the request from the Carbon County Veteran's Council for Fire Police for Veteran's Day Parade on November 7th with a rain date of November 14th

Councilors Saunders/Arner made the motions to approve the request if available and all were in favor with no questions or objections.

Consideration on the advertisement of the Rooming House Ordinance upon receipt of final draft addressing department head comments

Nicole said she has received comments from Tim and Chief Mriss which were forwarded to the solicitor. The main changes would be – in the draft it has designated Health Officer as enforcement but it would be Code Enforcement Officer; the knock box would be added as per Chief Mriss and also smoke detectors being wired into the rest of the system which is included in the International Fire Code. We will link the entire ordinance to the International Property Maintenance Code which is where our enforcement comes in to play. Nicole will bring this item back at one of the budget meetings after the changes have been made.

Motion to approve the 2020 Inactive Utility Accounts

Councilor Saunders/Rehrig made the motions to approve the write-offs and all were in favor with no questions or objections.

Motion to advertise for bids for the demolition of 209 North 1st Street upon completion of the documents

Nicole said the bid documents have not been prepared yet but this way we don't have to wait until later. The goal is to have the bids out in the next 2-3 weeks with a bid opening in mid-December with an award at our December 20th meeting. She also met with the adjoining property owners today. There will be a community meeting for the property owners impacted by this and that will need temporary access easements.

Councilors Abelovsky/Saunders made the motions advertise for bids and all were in favor with no questions or objections.

Motion to approve Keystone Consulting Engineers invoice in the amount of \$4,776

Nicole said this may seem kind of confusing but Jim Thorpe is administering the grant so we will be approving each invoice here instead of putting them on the list of bills to be approved and then Jim Thorpe will also approve each invoice.

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

Motion to adopt Resolution R18-2021 establishing the current base purchase power cost for the PPAC

Councilors Saunders/Flickinger made the motions to adopt the resolution and all were in favor with no questions or objections.

Motion to approve updates to the Employee Handbook

Nicole said the updates are the time keeping policy as we no longer have the timeclocks; some language was changed in the direct deposit to clean that up and then we cleaned up the language under bereavement to match our current practice.

Councilors Saunders/Abelovsky made the motions to approve the updates and all were in favor with no questions or objections.

Discussion on the use of space in Borough Hall for Mayor's office

Councilor Abelovsky said at a previous meeting Police Fire and Safety Committee had made some suggestions for the mayor and the police chief for the coming months and one was for the mayor to have an office. In previous years, the mayor had looked for space at the police station but the space is limited and we wanted it to be accessible to the community so upstairs in the department did not seem feasible.

Autumn had talked to Nicole about using the office next to hers which was the recommendation of the Police Fire and Safety Committee one or two days a week. Councilor Flickinger said he

requested this be put on the agenda and he is absolutely against it. He said all of council has many duties and wear many hats and not one of us has requested our own office. He does not think it is needed and will vote against it.

Autumn said historically the mayor had an office in the community. President Hunsicker said Cap was the last one to have an office. Councilor Rehrig was asked if he had an office when he was mayor. Donnie said yes, his front porch. Autumn said ideally it would be in the police department if there was room. We have been talking about how the mayor is the face of this community and getting him an office would be beneficial.

Councilor Rehrig asked the mayor how he has been handling meeting with residents up to this point. The Clark replied he meets them at the station in the small interview room. Donnie asked if that room is used for anything other than that. Chief Biechy said it gets used for general complaints, interviews and anything else anyone wants to talk to an officer about. The mayor said there is no room for file cabinets in there though. Councilor Flickinger said council doesn't have file cabinets either.

Councilors Flickinger/Rehrig made the motions to reject the use of space and all were not in favor. Roll call: no – Councilors Abelovsky, Saunders, Arner; yes – Councilors Flickinger, Rehrig and Hunsicker. Tie vote.

Councilors Flickinger/Rehrig made the motions to table this item until a full board of council was present and all were in favor with no questions or objections.

Motion to approve revised MMO for Police Pension Fund

The MMO was based on the figures in the most recent actuarial valuation.

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

Officials Reports

President of Council – Nothing.

Borough Manager – She said she is trying to work with DEP on outstanding MS4 items. This will be coming up in budget talks. The mapping is one item DEP is looking at for corrective action.

She has a draft agreement from our solicitor for the traffic light at 9th and Bridge Street. As soon as that is complete, she will forward it onto the school district. Nicole is anticipating them having

their easements recorded this week so then we can get this agreement out to them and move forward.

We are starting to gather info for the demolition of 135 & 139 North 1st Street. We have submitted for playground equipment at the Grove once finding out cameras were not an option for the grant.

The Substation Transformer Replacement project has been given an updated production schedule. Members of our L&P department will be on site for the form coil inspection in Virginia in January.

Borough Engineer – Nothing.

Solicitor – absent.

Treasurer – Motion to approve budgetary transfer of \$300,000 as needed

Councilors Flickinger/Saunders made the motions to approve the transfer as needed and all were in favor with no questions or objections.

Mayor – He is still working on the crime watch programs. The name will change to Neighborhood Crime Watch program to incorporate sections of town instead of streets.

Councilor Flickinger asked the mayor who is in charge of the program. Clark said Officer Arner and himself will assist. Joe said reading the article he was concerned that the point of contact was a minor and his phone number and email were published. Clark said that was corrected.

Police – Nothing.

Fire Chief – Patrick said Nicole, Michael and himself had a TEAMS meeting with KME as well as Campbell Supply. KME did agree to Campbell Supply being a third-party inspector on the job. They will do benchmark inspections throughout the process. KME also agreed to the items Chief Mriss told council about last month and an extended 1-year warranty.

Light & Power Superintendent – Nothing.

Public Works Supervisor – Kris said they had an issue with the yard waste program today. They took the dumpster to unload it at the recycling center and were turned away. He doesn't know what to do now and the way the place sounded it might become defunct. We may need to find somewhere else to go with it. Councilor Rehrig asked what other communities do. Kris said he believes Palmerton does their own. He thinks any weekend during certain hours and

they mulch it. Nicole said doing this inhouse seems to be a trend. For us to do it would mean council would need to allocate funds to do it and staff to do it on weekends. We are required to have some sort of recycling program by our recycling mandates. Nicole will look into it and bring something back.

Recreation Director- Absent.

Committee Reports

Finance and Administration – Lisa Perry, Chair; Joe Flickinger, Co-Chair – Lisa was absent. Joe said November 17th will be their next meeting. The notes from the last meeting were provided in packets.

Economic Development, Buildings and Codes – Joe Flickinger, Chair; Donnie Rehrig, Co-Chair – Joe said the Downtown Partnership did a great job with Rocktoberfest. He thinks some of the committee members got an eyeopener on what is involved with setting up and running a large event. He thinks they will be in good shape for next year.

Police, Fire and Safety – Ryan Saunders, Chair; Autumn Abelovsky, Co-Chair – Ryan said he was disappointed that no police were at the Rocktoberfest event. He had spoken several times to Chief Biechy that the local police were present overnight due to vendors being set up in the park. They did hire their own security but asked that the police drive by often to make their presence known and deter anything from happening. Ryan had asked several people to let him know how many times police were seen in the area so he could report it back to council now and it was a zero.

Joe said the police were there Friday to assist with the removal of the vehicles. There were at least two of them that night.

Light & Power Committee – Autumn Abelovsky, Chair; Lisa Perry, Co-Chair – nothing.

Sewer Committee – Donnie Rehrig, Chair; Darryl Arner, Co-Chair – nothing.

Streets, Public Works & Recreation – Darryl Arner, Chair; Ryan Saunders, Co-Chair – nothing.

Library Board – Autumn said November 7th at 1pm there will be a rededication of the Upper Park and Amphitheater ceremony. At 1:30pm the library will be holding their extension/addition dedication ceremony. At 2pm a concert in the park will be put on by the Bell Tones.

Parks & Recreation Board – Autumn said Christmas in the Park is moving fast. She believes there will be 168 trees thanks to Crystal Spring Tree Farm. The sponsorships were great this year. We have 17 sponsors and for the 1st time we will have 2 sponsor rows – one at the top of the Upper Park and one at the top of the Lower Park on 2nd Street.

School Board – Autumn said as Nicole touched on earlier, we are hoping the Elementary Center will be closed out soon. They have submitted everything. We are waiting for the Water Authority agreement. Once that is approved and submitted to the County for recording and the separation of the traffic light, we are good.

Canal Commission – Ryan had nothing.

Acceptance of Officials Reports

Councilors Saunders/Abelovsky made the motions to accept the official's reports as presented and all were in favor with no questions or objections.

Acceptance of Accounts Payable

Councilors Rehrig/Arner made the motions to approve the accounts payable, additional bills, and budgetary transfer and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Saunders/Rehrig made the motions to adjourn the meeting at 7:50pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary