

September 13, 2021

A regular meeting of Lehighton Borough Council was held in the municipal building on Monday, September 13, 2021. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Lisa Perry, Ryan Saunders, Autumn Abelovsky, Joe Flickinger and Darryl Arner. Absent: Councilor Donnie Rehrig.

Officials in attendance were: Borough Secretary Brenda Kreitz, Solicitor James Nanovic, Borough Engineer Bruce Steigerwalt, Police Chief Brian Biechy, Mayor Clark Ritter, Light & Power Supervisor Lonny Armbruster, Public Works Supervisor Kris Kunkle and Recreation Director Tom Evans. Absent: Fire Chief Patrick Mriss and Borough Manager Nicole Beckett.

Pledge of Allegiance

Guest Speakers: Dave Bryfogle and Kevin Long – Lehighton United Veterans Organization – Presentation of proposed, monument to honor POW/MIA

Mr. Long told council they would like to put another monument in the Veteran's Memorial Park. They have the original plaque from the hospital and would like to superimpose a picture of the original hospital on a stone with the plaque and place it in the park to honor all the veteran's killed in WWII from Carbon County.

Mr. Bryfogle asked permission to place a statue of an eagle in Veteran's Memorial Park to honor the POW/MIA.

Councilor Saunders asked for a drawing of the eagle with the perspective of where it will be placed first. Mr. Bryfogle said the base will be the same as with the dog and the anchor.

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

Bryan Smith of BIA – Presentation of Concept Plan for Sgt. Stanley Hoffman Boulevard

Mr. Smith discussed the first phase of the improvements to the bypass. He explained the concept plan council was provided and asked for questions. In Phase 1 a rectangular rapid flasher for pedestrian crossing would be installed at Main Lane and Sgt. Stanley. There will be pedestrian signs installed on either side of the street with a rectangular bar so that when a pedestrian pushes a button, lights will flash letting traffic know someone is crossing the

street. This is solar powered. In addition to that, the first in a series of bump outs will occur on the Western side to prevent traffic from flying by. President Hunsicker voiced his concerns on the bump outs. Councilor Abelovsky said she doesn't like them either and if we look back in the minutes, Mr. Rehrig, stated he is opposed to the one as you make the left off Main Lane. Bryan said the bump outs are two-fold. First, they slow traffic in the left lane and keep traffic flowing in the right lane. The bump outs will be in the left turning lane essentially to keep traffic in the right lane unless you need to turn. The bump outs also make it easy for pedestrians crossing the bypass. Right now, both lanes are used as through lanes. The bump outs in the left lane will let pedestrians know a car is turning where right now pedestrians have no idea if a car is turning or using the left lane as a through lane.

The second benefit is channeling the stormwater through the bump out. It will be planted with native vegetation which will help filter the water before it gets into the storm system. This will benefit the MS4 requirements.

The bump outs have been broken into parts to allow for adequate turning movements and left hand turns into the parking lot behind the high-rise and onto Main Lane.

The third part of the project is just improvements to that intersection for pedestrians and ADA accessibility and a new asphalt sidewalk that will go along the West side of Lehigh Drive from the intersection to just past the outfitter that is there now moving bicycle traffic off Lehigh Drive to allow for the increased vehicle traffic there now.

Councilor Perry asked what type of vegetation will be put in the bump outs. Bryan said it will be low grasses with some trees. There will not be a sight issue.

Councilor Saunders said he is having trouble with this idea. He is not liking it at all. We have a speeding issue and there are no markings there at all. It's like a concrete racetrack. Bryan said the bump outs do not narrow the travel lane but they do give that appearance. Studies have shown that driver's get the perception of a narrower travel lane and slow down because of it.

Councilor Abelovsky said she is not a fan of the bump outs. If they are to remain two make sense to her but the turning left into the right lane is going to make it impossible to turn left. They will be

sitting there forever trying to get on the bypass from Main Lane. If that one was eliminated, she feels it would make a little more sense.

Councilor Flickinger said his only concern with Autumn's idea is that if they see this they won't move over. Bryan said they can stripe it. Bryan said they have recently installed these in other boroughs with speed issues and they do work. They will increase pedestrian movement. The Rail Trail is a great amenity along with other great resources in the borough and there is definitely a need to have a safe pedestrian connection between the two uses.

Councilor Flickinger added to Councilor Abelovsky's comments asking if it is a PennDOT requirement for the bump out to be that length from Main Lane going down or can it be shortened like the other two to give more room to vehicles turning left? Bryan said the one right at Main Lane is long enough for the collection of storm water and then it terminates.

Bruce said after working down there for almost a month he does not feel anything will slow traffic. Bruce questioned why the taper on the southern one shown on the drawing. Why not a taper as you are approaching it? Bryan said they are only where they are slowing down to make the left. Bruce asked if it will hinder snow removal. Bryan said the bump out will give you a place to store snow but the trucks will have to plow around them.

Kris said three trucks are used to plow the snow from left to right off the bypass. Two passes are required to clear the bypass. They will need something to tell his guys where to start going out with the plow.

Councilor Abelovsky said she is still not a fan of the bump outs but will agree the two on the right-hand side of the drawing make sense and still feels the left one doesn't. Bryan said another option would be to move the bump outs around and have one put at the top of the project which was part of Phase 2. Another option is to reduce or eliminate a bump out just north of Main Lane and put that right at the top of the project so right away people know the flow of traffic is one lane. Council liked that idea better but Councilor Flickinger still thought something should be done to the north.

Kris also brought up the anticipation of paving the lot the pavilion is in as an overflow lot. He believes Nicole is trying to obtain funds through the D&L to pave the lot and thinks that is the reason for the northern most bump out.

Bruce also suggested making all necessary repairs to the existing concrete paving because you will never be able to change the traffic pattern once the bump outs are in place.

Ryan said it really should be blacktopped with lines painted. You can't paint white lines on white concrete and expect people to listen. Autumn asked how we can make markings more visible and Bryan said you are limited in the colors you can use.

Chief Biechy commented that a true bypass pass was put in and now has become part of the economic development of the town. He was not saying this in a bad way. Bruce suggested maybe using signage for right lane through traffic and left lane turns only.

Bryan commented that later on the agenda is a motion to proceed with Phase II. The grant opportunity only happens once a year. Councilor Perry asked if we could do Phase I without the bump outs and if we find the markings aren't working add them to the second phase? Bryan said the borough already has funding to do so many bump outs. If we don't do them in this round the money goes back to the agencies.

Councilors Flickinger/Perry made the motions to accept with the alterations to the Barry Isett & Associate plans. The alterations being on the bump out north to North Main Lane to create a taper for left hand turn traffic to enter into the left-hand turning lane and move what would have been the amount from that area to a corresponding position south of that and all were not in favor. Roll call: yes - Councilors Flickinger, Perry and Ar; no - Councilors Hunsicker, Saunders, and Abelovsky. Tie vote. Mayor broke the tie and voted no. Motion not carried.

HEARING OF PERSONS PRESENT

None.

APPROVAL OF MINUTES

Regular Meeting of August 2, 2021

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

UNFINISHED BUSINESS

Consideration on Resolution R13-2021 supporting equality of fair funding for Pennsylvania School Districts

Councilors Flickinger/Saunders made the motions to support the request without the reference to the lawsuit and all were in favor with no questions or objections.

NEW BUSINESS

Motion to award Road Materials & Aggregate Bids to New Enterprise, Lehigh Asphalt and Hei-Way, LLC as presented

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

Consideration on request from Jim Thorpe Lions for Fire Police assistance with traffic control for Halloween Parade on October 23 or 24, 2021

Councilors Flickinger/Saunders made the motions to approve if the Fire Police are available and all were in favor with no questions or objections.

Consideration on request from Lehigh Area Lioness Lions Club to host the 16th Annual Pink Light Walk on October 5, 2021 and request for traffic control

Councilors Saunders/Flickinger made the motion to approve the request if available provided the organizer meets with the Fire and Police Chiefs and Mayor prior to the event and all were in favor with no questions or objections.

Discussion on request from Bowmanstown Borough to rent our leaf vacuum truck

Kris had no problem with the request but said he would not do 3 days in a row but 1 day per week.

The borough secretary said Bowmanstown would prefer a 3-day pick up. It is a once and done deal.

Councilors Flickinger/Saunders made the motions to approve the request provided this is coordinated with the Public Works Superintendent. The solicitor will draw up an agreement and all were in favor with no questions or objections.

Motion to approve the 2022 MMO for Police Pension Plan

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

Motion to approve the 2022 MMO for Lehigh Borough Pension Plan

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

Motion to approve Peter & Veronica Wilczek request for 90-day waiver on Subdivision Plan

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

Consideration on the 3 waivers for the W&W Holdings Lot Line Revision – Lot Consolidation Plan as recommended by the Lehighon Planning Commission

Bruce went over the waivers requested.

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

Consideration on request from Planning Commission to have the Borough Secretary be the recording secretary for the Planning Commission with a \$50 stipend per meeting

Councilor Saunders asked if it was a permanent position and was told yes.

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

Motion to approve Payment Application #1 in the amount of \$125,932.13 for the Sgt. Stanley Hoffman Concrete Paving and Patching Project

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

Motion to approve Resolution R14-2021 setting the base purchase power cost

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

Motion to approve the engineering proposal from Keystone Consulting Engineering Inc. in the amount of \$18,000 for the demolition of 209 North 1st Street

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

Discussion on the Gehringer Corporation Roof Inspection Reports and plans for funding allocation

Council suggested adding a line item in the 2022 budget for this.

Discussion and action on the CDBG Pe-application and Project Modifications

Councilors Flickinger/Abelovsky made the motions to use the 2018 balance for cameras and the 2019/2021 balance to demo 135-139 North 1st Street and all were in favor with no questions or objections.

Consideration on the UVO request for new monument to honor POW/MIA

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

Motion to award the Vehicle Fuel and Diesel to Suburban Heating Oil Partners, LLC in the total amount of \$48,157.70 plus escalator clause

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

Consideration on the approval of the proposal for the Cyber Insurance Quote in the amount of \$11,436

Councilors Saunders/Perry made the motions to table this item and requested the Borough Manager obtain more quotes and all were in favor with no questions or objections.

Motion to approve Resolution R15-2021 to submit the Local Share Grant application for video surveillance system

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

Motion to accept David Hill's resignation letter effective September 24, 2021

Councilors Arner/Saunders made the motions to accept the resignation and all were in favor with no questions or objections.

Motion to proceed with the concept plan for the Multi-modal Transportation Fund grant for Sgt. Stanley Boulevard Project

Council asked what the additional funds were for and Bryan said it was for additional bump outs and two more pedestrian crossings.

Councilor Flickinger asked if there is an application ready to go for this request and Bryan said no it would be submitted as written and if awarded ask to make revisions to the scope at that time as we would with this phase. It is not uncommon.

Councilors Flickinger/Abelovsky made the motions to proceed and all were in favor with no questions or objections.

Officials Reports

President of Council – Nothing.

Borough Manager – Absent.

Borough Engineer – Nothing.

Solicitor - Nothing.

Treasurer – Motion to approve additional bills totaling, \$44,411.68

Mayor – He said at last month’s meeting it was pointed out to him that there was speeding on the bypass during construction. Also brought to his attention was the fact there were cars weaving in and out of traffic on the bypass and many other streets. We only have so many people to do the job. They are working 10 hour shifts by their request during COVID and are sometimes working 12 hours shifts due to vacations, holidays and court time. The mayor took one officer’s weekly stats and went over it with council of things the officer did for a period of time. The mayor and Matt Arner are working on starting Crime Watches for the past year. He said he also gets a lot of calls from residents for police not showing up when they call the station at night and that is because there isn’t always someone at the station in the evening. He tells residents to call the Comm Center.

The mayor said he feels he and his department are getting a lot of unjust criticism and did not like the way he was approached at the last meeting.

Police - Chief Biechy said he is working with WatchGuard who provides his department with body cameras. He has returned about 50% of them as they do not work well and the warranty has expired. The company has agreed to extend the warranty till the end of this year allowing him to return the other 3 cameras that went bad. He doesn’t know what the final outcome will be on this. Brian is on vacation next week but will work on a solution upon his return.

The government has come out with their \$10,000 and under grant requiring no match so he will meet with the committee and mayor when he returns to discuss this as well.

Fire Chief – Absent. Joe said the Chief and Donnie are at the station hosting a structure collapse class.

Light & Power Superintendent – Lonny invited everyone to the Open House on October 6th from 10a.m. until 1 p.m. at his building during Public Power Week.

Public Works Supervisor – Kris thanked the other departments that helped out during the sinkhole problem.

Recreation Director- Nothing.

Committee Reports

Finance and Administration – Lisa Perry, Chair; Joe Flickinger, Co-Chair – nothing.

Economic Development, Buildings and Codes – Joe Flickinger, Chair; Donnie Rehrig, Co-Chair – Joe said the Main Street Manager was to start to day and the Chamber is looking at doing a press release.

Police, Fire and Safety – Ryan Saunders, Chair; Autumn Abelovsky, Co-Chair – Ryan said he and Autumn have been working with the mayor and the chief to come up with a better application for facility use and they are going to continue meeting and have more for the October meeting.

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

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

Streets, Public Works & Recreation – Darryl Arner, Chair; Ryan Saunders, Co-Chair – Darryl was happy the sinkhole at 6th & Iron Street was fixed in a timely manner and he appreciated that. Joe also thanked all departments for working so well together during the past few major storms and to all the proactive measures taken to keep things from being worse than they were.

Library Board – nothing.

Parks & Recreation Board – nothing.

School Board – Autumn said she had to admit she slacked by not checking with Nicole to see where things stand and asked Bruce if he could comment. Bruce said he responded to their submission. They had sent old information late Friday but they are sending revised plans and drawings. Autumn once again went on record stating that the Elementary Center is operating without a certificate of occupancy. Ryan asked the Times News representative to take note of that statement. Autumn said her personal feeling is that all the outstanding items are paperwork/outdoor items and the students are not in danger. Bruce said some emails were going back and forth about the traffic signal. They approached PennDOT to close out their HOP Permit for the Union Street entrance and the Mahoning Street entrance but PennDOT said the HOP Permit can not be closed out until the traffic signal is put in at 9th & Bridge Street.

Canal Commission – nothing.

Acceptance of Officials Reports

Councilors Perry/Flickinger 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

Plus, additional bills totaling \$44,411.68.

Councilors Saunders/Abelovsky made the motions to approve the accounts payable, and additional bills and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel

Councilors Arner/Perry made the motions to go into executive session at 8:30pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/Arner made the motion to go back in at 8:52pm and all were in favor with no questions or objections.

Action on Items from Executive Session

None.

Motion to Adjourn the Meeting

Councilors Abelovsky/Flickinger made the motions to adjourn the meeting at 8:53pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary