

March 7, 2022

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, March 3, 2022. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Lisa Perry, Autumn Abelovsky, Ryan Saunders, Donnie Rehrig and Joe Flickinger.

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

#### Pledge of Allegiance

#### Guest Speaker: Bambi Elasser – Lehighon Main Street Manager – Updates on the Lehighon Downtown Partnership

Bambi said there is a lot of traffic coming into the Chamber office. People are coming in wanting to start businesses in Lehighon and are looking for funding. Hopefully we will see some good results from this.

We have signed up for a Trex Challenge. We will be collecting up to 500 pounds of film type plastic like the labels that go around water bottles. If we do this in 6 months, Trex will donate a bench to us. We can do this twice a year. The bench will be put down on the Trailhead where the caboose is going to be placed. We are working on “Wine on the River” again. We have signed up for “Pick Up the Poconos” in conjunction with the Pocono Visitor Bureau. This event will be held April 23<sup>rd</sup> and will help to clean up both borough parks and the downtown. The next “2nd Saturday” will be held this weekend. This event is getting more participation. We will be starting the “Golden Broom Award” and will be done on a quarterly basis starting in April. It will be given to businesses that have kept up appearances in the downtown. She thanked council for their support and having faith in this partnership as good things are starting to happen.

#### Lehighon Soccer Club – Request to put 8x10 shed at 6<sup>th</sup> & Coal Soccer Field and sponsor signs

Ashley and Anika of the soccer club were present to ask if it would be possible to hang sponsor signs on the fence to give them more exposure and in turn have more given to the kids. The signs would be 2x4 foot signs and hang there only during the soccer season.

Ashley said the club is going after a grant to purchase sheds at all of their fields. This will be in the future. Council had no problem with this if they proceed, they will need to talk to zoning.

Councilor Perry/Saunders made the motions to allow sponsor signs on the fence as long as sight distance is not affected and all were in favor.

## HEARING OF PERSONS PRESENT

Jerry McAward said that his employment picture is pretty good for this year. People are calling us looking for work. He is working with the St. Luke's Hospice Run to help keep the traffic issue we had last year from happening again.

## APPROVAL OF MINUTES

### Regular Meeting of February 3, 2022

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

## UNFINISHED BUSINESS

### Consideration on Request from Mayor Ritter to Update Ordinance §213-32 Regarding Temporary Permits for Parking of Large Vehicles

The mayor said this request is due to an issue with a dumpster on Mahoning Street and the line of sight. He would like the ordinance amended to read "no dumpsters allowed on streets from December 1 thru April 1 of the following year unless placed on private property." His main concern is the issue of snowplowing around a dumpster during the winter months. Cars can be moved but easily but not dumpsters.

Clark also mentioned that the ordinance tasks the police chief with issuing the temporary permits and wondered why it wasn't the zoning officer who issues them? Councilor Rehrig asked the police chief if this was past practice and Brian said as far as he knows it has always been this way. Councilor Flickinger asked if there have been any issues with it coming out of the police department and Brian said not until now. Joe said then he doesn't feel it needs to be changed. Brian said if they want to change it over to Public Works due to plowing issues and they post the signs for the police department anyway so it doesn't matter to Brian.

Nicole said this ordinance is mostly for large vehicles. We don't have one specifically for dumpsters like other municipalities do. Maybe we want to consider looking into this.

Kris said his only concern with this particular dumpster was the part of the roadway it was placed on and the impending snow storm. We were expected to get a significant snowfall and the ability to plow was his main concern.

Councilor Perry didn't like the idea of someone needing to clean out a house having to wait until April to do so. Councilor Saunders felt the system wasn't broken so nothing needs to be changed. He felt as long as the police chief communicates with the Public Works supervisor there shouldn't be a problem. Councilor Rehrig said he would be interested in looking at examples of dumpster ordinances and Councilor Abelovsky agreed it would be worth looking into.

The police chief said we could amend the permit to include Kris and Lonny signing off on the location prior to the permit being issued. We could also include that we reserve the right to pull the permit during the winter months.

Consideration on the Lexipol Subscription Materials for the police Department in the amount of \$10,825 at the request of the Police Chief

Councilor Flickinger/Perry made the motions to have this item removed from the agenda until the new police chief is in place pending the new chief wanting this subscription and include it in next year's budget. Councilor Abelovsky asked if holding off on this item would affect the members of the department in any way and was told no by Chief Biechy. Motion carried.

#### NEW BUSINESS

Motion to approve Resolution R14-2022 Record Destruction List

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

Motion to approve Resolution R15-2022 establishing the current base purchased power cost for the PPAC

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

Motion to approve Resolution R16-2022 requesting the Statewide LSA Grant Funds for Phase II of the Waterfront Pedestrian Safety and Traffic Calming Improvement Project and authorizing signatures

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

Motion to approve the Statewide Local Share Account Funding Commitment Letter in the amount of \$34,765

Nicole said this grant does not require a match but the engineering fees will exceed the 10% allowed within the project requiring the commitment letter.

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

Motion to accept John Kreitz's resignation from Police Civil Service Commission

Councilors Rehrig/Saunders made the motions to accept the resignation with a letter of appreciation being sent and all were in favor with no questions or objections.

Consideration on Request from Lehigh Area School District for 2022 Commencement Motorcade

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

Motion to approve Keystone Consulting Engineers Invoice in the amount of \$956 for the Blight Remediation Grant

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

Consideration on the request from Jim Thorpe Borough for 2022 Street Sweeping Services

Councilor Perry asked if they would be required to sign the same agreement as last year. Nicole said they would if approved but reminded council discussed not loaning the sweeper out due to the condition and the repairs needed. Councilor Rehrig said he spoke with Kris about this and Kris said the sweeper is apart for repairs that will cost about \$6,000 to have it ready for our use. He doesn't feel it is a good idea to send it out of the borough but wants to continue to work with neighboring communities.

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

Discussion on District Attorney Michael Greek's request to consider Police Regionalization

Councilor Saunders thought it was a good idea to be part of the study. Councilor Flickinger said this was brought up several times before and he feels the county is going to have to step in and have a county agency as no municipality is going to be able to afford it.

Chief Biechy said the District Attorney brought this up at a Chief's meeting and he was going to send a letter out to all municipalities. If interested, the County would possibly be the lead

Council agreed to participate in the study only.

Consideration on DHTCS IT Maintenance Plan for Police Department at an annual cost of \$5,148

Chief Biechy said that this was never offered before and we already use this company at an hourly rate costing us more.

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

Consideration on UGI Utilities, Inc. Easement request for 1000 Lehigh Drive pending final approval of Borough Solicitor

The solicitor said there changes he wanted made and they have been done so now it is up to council to decide if they wish to grant the easement to UGI. Nicole said we had adopted this in 2020 but things were never finalized on UGI's end.

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

Motion to approve Payment Request #1 in the amount of \$19,992.69 for Blight Remediation Demolition Project

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

Officials Reports

President of Council

Nothing.

Borough Manager

Nicole touched on the 209 North 1<sup>st</sup> Street project being finalized. There is an issue of a closet attached too 207 North 1<sup>st</sup> and we will be working through those processes with the neighbor. The demolition of 135–139 North 1<sup>st</sup> Street can commence with engineering once we can see if the 2022 budget can handle it. We will need additional funding sources beside the CDBG funds to cover the cost of removal.

The borough hall roof replacement has commenced. The 2022 pre-application for CDBG is here and Nicole needs input on what that project should be. The engineer and architect were on site and are working on the scope of work and preparing the plans for that project.

The Utility Service Manual has been started. The Carbon County Tax Committee met and it is time for the renewal and/or new contract with our tax collector. Berkheimer did offer a new 10-year contract with no increase. There was no opposition to the renewal.

#### Borough Engineer

Bruce said he handed out an estimate for the cost of work on Division Alley. The first part of the estimate was for \$14,000 for materials only, assuming Public Works would do the work. There is no drainage figured in the estimate. It would have to be bid out if drainage was added and an HOP permit obtained from PennDOT. The total estimate with stormwater IMP was estimated to be higher causing the project to be put out for bid.

Nicole asked Kris if this work was done would it address his safety concerns with the alley. Kris said not when you get to the end of the alley where it narrows. You have concrete or block walls on both sides hindering your line of sight coming out on to First Street plus needing men on First Street directing traffic so the snow can be plowed across First Street.

Nicole asked Bruce if this estimate included any of the encroachments previously discussed. Bruce said no, he was able to keep the road 10 foot wide and out of the encroachment. Nicole said this project does fit in the 2022 budget. It is up to council to prioritize the alley's to be paved. Councilor Perry asked if this alley was done it would be the only alley to be done this year and Nicole said yes. Lisa then asked if this alley was put off could we possibly do 2 other alleys and Kris said yes. Councilor Rehrig asked Kris to present a list of alleys needing to be done and the cost for each and that would give council a chance to look over the list before deciding. Grant suggested vacating the alley giving it to the residents.

Bruce said the he surveyed the property on Summit Avenue and that is ready to go. There is a piece of property listed as Niehoff but it is not owned by them but that is not owned by the borough either. Bruce will follow up with the solicitor.

Bruce said about two weeks ago he had a meeting to go over the SALDO and should have that should be ready for review and adoption shortly.

#### Solicitor

Nothing.

#### Treasurer

Approval of additional bills totaling \$466,030.69

#### Mayor

Nothing. Councilor Flickinger asked how many times the mayor used his requested office and was told he hasn't used it because he is waiting for his file cabinet to arrive so he can bring his file down. Joe reminded the mayor that he stated he needed an office to meet with people and was given an office 2 months ago but isn't using it.

The mayor said his office hours will be 2–4 pm Thursday and Friday the 2<sup>nd</sup> and 4<sup>th</sup> week of each month or by appointment.

#### Police

Chief Biechy said he met with Mr. Messerschmidt from KME and the new car is ordered. KME could not give an estimate on when the car would arrive however, it could be assumed he will be retired by delivery.

Brian said he will be meeting with Jerry and St. Luke's to discuss events going on in the area of the Trailhead in the next few weeks.

Nicole said another request came in for an event and she did explain the new process as far as needing a Police Services Agreement for traffic control and it was not well received at all because the organizer is a non-profit and the costs are high.

#### Fire Chief

Chief Mriss said the ladder truck is moving along. The committee is going to inspect on Thursday evening along with Campbell Supply to go over a couple of items that have been discovered but are minor. We are hoping sometime during the month of April everyone will see it in town.

#### Light & Power Superintendent

Lonny said the old transformer has been removed and it was a 3-day project. On the way in, a neighbor's property was damaged. He explained to them that we will repair the damage with a landscaper once we have completed the project. For the most part the people are understanding. The new transformer is scheduled for delivery Monday. Due to the space constraints, they are looking at a jack and sled approach. Lonny said he has no idea how long this will take. The dressing of the transformer will be being in late March. In the 2 weeks timespan from delivery to dressing the L&P Department will put in our 69Kv lines to the transformer and bring our 12Kv lines out and our control lines for operation and SCADA. In the process we have had to upgrade fusing with a 9–11-week delivery time. We are hoping we can get at least 3 fuses to get this thing moving. In pulling the old fuses out we had issues with broken hinge assemblies on the fuses. He is trying to get the hinge assemblies under an emergency purchase order. If he can't, it will take 6–8 weeks to get them.

Lonny asked what council's intentions were for purchasing the 2<sup>nd</sup> transformer. Delivery time is between 52–54 weeks. If council is looking to purchase it next year it might be wise to get on the build schedule now. That covers the substation.

Now for our sprinkler system – it has sprung a leak. Fortunately, it is only an air leak but it must be repaired. He contacted Cintas who will be in to do the repairs within a month.

Finally, our SCADA system has not worked properly since we got it 4 years ago. Lonny said due to all the trouble the company is giving Lonny a new SCADA system free of charge with an additional 1-year warranty and installed by their engineer.

#### Public Works Supervisor

Kris said he has a garage full of sweeper parts trying to get the machine ready for the season. His department started clearing the area at the Trailhead for the caboose. The Water Authority Superintendent is stock piling some dirt from his project for Public Works to use. We are patching potholes as they can.

#### Recreation Director

Absent.

#### Committee Reports –

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

Economic Development, Buildings and Codes – Autumn Abelovsky, Chair; Darryl Arner, Co-Chair – Autumn said she has been patronizing some of our businesses downtown and has seen an influx of customers at them. It's nice to see our downtown bustling again.

Police, Fire and Safety – Donnie Rehrig, Chair; Lisa Perry, Co-Chair – nothing. Joe said he would like to ask to have the COVID Taskforce to meet to discuss the suspension of the current COVID action plan and termination of the emergency proclamation and report back at the April meeting.

Light & Power Committee – Joe Flickinger, Chair; Ryan Saunders, Co-Chair – nothing.

Sewer Committee – Darryl Arner, Chair; Autumn Abelovsky, Co-Chair – absent.

Streets, Public Works & Recreation – Ryan Saunders, Chair; Donnie Rehrig, Co-Chair – nothing.

Library Board – Joe – nothing.

Parks & Recreation Board – Autumn – nothing.

Canal Commission – Ryan – nothing.

#### Acceptance of Officials Reports

Councilors Perry/Rehrig 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 Saunders/Perry made the motions to accept the accounts payable and all were in favor with no questions or objections.

#### Motion to go into Executive Session for Police and Real Estate

Councilors Rehrig/Saunders made the motions to go into executive session at 8:06pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Rehrig/Perry made the motion to go back in at 8:55pm and all were in favor with no questions or objections.

Action on Items from Executive Session

Motion to accept the Letter of Resignation from Officer Derek Koch

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

Motion to proceed with an Agreement f Sales for the Purchase of 0.592 Acres for the Electric Substation Projects and Projected Future Expansion

Councilors Abelovsky/Flickinger made the motions to proceed with the agreement of sales conditioned upon subdivision approval and all were in favor with no questions or objections.

Action on the FOP Grievance dated December 28, 2021

Councilors Flickinger/Saunders made the motions to approve settlement of the grievance by agreeing not to schedule 12 hours shifts until a new contract is in place and to pay Employee 122 their 12 hours of overtime with a letter to the FOP that this was done to resolve a grievance and not stating that we agree with their position and all were in favor with no questions or objections.

Discussion was held on the vacant crossing guard post at 11<sup>th</sup> and Mahoning Streets. The Chief will follow up.

Motion to Adjourn the Meeting

Councilors Perry/Flickinger made the motions to adjourn the meeting at 8:59pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz  
Borough Secretary