

February 6, 2023

The regular meeting of Lehigh Borough Council was held in the municipal building on Monday, February 6, 2023. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Darryl Arner, Donnie Rehrig, Lisa Perry, Autumn Abelovsky, Rebecca Worthy, Ryan Saunders.

Officials in attendance were: Borough Manager Steve Travers, Borough Secretary Brenda Kreitz, Solicitor James Nanovic, Borough Engineer Vanessa Nedrick, Police Chief Joe Sparich, Mayor Clark Ritter, Fire Chief Patrick Mriss, L&P Superintendent Lonny Armbruster and Public Works Supervisor Kris Kunkle. Absent: Recreation Director Tom Evans.

Pledge of Allegiance

Zoning Ordinance Public Hearing

Guest Speaker: Bambi Elsasser – Lehigh Main Street Manager – Updates on the Lehigh Downtown Partnership

Bambi was unable to attend.

HEARING OF PERSONS PRESENT

None.

APPROVAL OF MINUTES

Regular Meeting of December 5, 2022 and January 9, 2023

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

UNFINISHED BUSINESS

Consideration on Pump Station Maintenance Agreement

Solicitor Nanovic said he looked over it and is ok with signing it.

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

Discussion on Business Christmas Decorating Contest winners

Councilor Saunders asked if the list is the current winners as it says 2021 and no one was sure so he suggested tabling the item until Bambi could be present.

Brenda said Bambi gave this list to Denise to award the prizes. Denise knew we only gave \$100 to each winner in the past. Denise gave it to me to bring to council. Brenda provided the minutes from last year authorizing the \$100 prize amount. The borough manager said his discussion with Bambi was on the amount of each prize and he didn't know what that was and Bambi said she thought it was \$200 but was ok with whatever it was in the past.

Councilor Perry said council does always approve the list and should continue to do so at the amount of \$100 per winner.

Councilors Saunders/Worthy made the motions to approve the winners list at \$100 each and all were in favor with no questions or objections.

President Hunsicker asked for a motion to amend the agenda

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

Motion to approve request for reduction in Letter of Credit by \$66,396 for Mitch328,LLC's Blakeslee Station project as recommended by Bruce Steigerwalt

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

NEW BUSINESS

Motion to approve advertising the draft Zoning Ordinance

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

Motion to approve Resolution R8-2023 for Amending the Fee Schedule

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

Motion to approve Resolution R9-2023 establishing the current base purchased power cost for the for PPAC

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

Consideration on request from CCEDC to hold 5K Run/Walk April 15, 2023 from 10am to 1pm on Lehigh Drive

Councilor Abelovsky said she thinks we will be getting several requests for 5K's and feels it would be beneficial to have a plan on how the borough will allow the events to happen and when we won't allow them to happen due to impacting the businesses and recreation going on along Lehigh Drive. She recommended approving 5K's until the end of May but not during June, July and August. Councilor Saunders disagreed. He feels 5K's can be allowed year-round as we have parking on the Trailhead side and an over flow lot across the street to accommodate parking, which he thinks is the issue for these events. Councilor Perry said she agrees as long as the race starting point begins after the Outdoor Center. Autumn said she feels having a set of guidelines to hand out to people wanting to hold events so they know what is expected of the event holder would be a good idea.

Councilors Saunders/Arner made the motions to approve the request provided Bambi meets with the Borough Manager and Police Chief and all were in favor with no questions or objections.

Motion to approve request from LDP to hold "Wine on the River" at Baer Memorial Park May 6th with rain date May 7, 2023

Councilors Abelovsky/ Perry made the motions to table this item until next meeting and all were in favor with no questions or objections.

Motion to approve request from LDP to hold the Downtown Farmer Market from May 13 to October 28, 2023

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

Motion to approve request from LDP to hold Movie Nights in the Park June 9th, September 12th & October 13th, 2023 at dusk

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

Motion to approve request from LDP to hold National Night Out August 1, 2023 3–10pm

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

Consideration on request to hold a Spell Binding Street Festival September 9, 2023

Councilors Perry/Abelovsky made the motions to table this item and all were in favor with no questions or objections.

Consideration on request to hold a Hometown Vintage Christmas December 16, 2023

Councilors Saunders/Worthy made the motions to table this item and all were in favor with no questions or objections.

Consideration on request from Lehighton Halloween Parade Committee to hold the Halloween Parade on October 21st with rain date of October 22, 2023

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

Consideration on adopting Resolution R10–2023 supporting Act 152

Councilor Perry said Act 152 help with blighted properties. Anyone purchasing a home or transferring a deed would pay \$15 to the county. The money would go into a fund overseen by the county and municipalities would apply for funds to address blighted properties in their town. Councilor Saunders was against charging another fee to someone looking to buy property. Councilor Abelovsky would prefer the fees collected in our borough to stay in our borough but was told that is not allowed. The solicitor said the county has not adopted this Act as of yet. Councilor Perry said the municipalities are hoping that by passing a resolution it will make the county consider adopting Act 152.

Councilors Perry/Abelovsky made the motions to adopt and all were not in favor. Roll call: yes – Councilors Abelovsky, Worthy, Perry, Rehrig, Arner and Hunsicker; no – Councilor Saunders. Motion carried.

Officials Reports

President of Council

Nothing.

Borough Manager

Steve said he emailed council his report. He met with Calvin Ulshafer from PennDOT for 9th & Bridge Street proposed traffic signal. Councilor Abelovsky said the school district is responsible for putting in the traffic signal. They will put \$10,000 in an account for maintenance and then the borough takes responsibility for the signal.

Borough Engineer

Vanessa said the state is reviewing the grant application for the I & I work but they will not announce the awards until July. Vanessa distributed the asbestos report for 139-139 North 1st Street. This is for information only tonight. They did find asbestos in the building that will need to be removed before demolition. The easement for 93 Lentz Avenue should be finalized by the end of this week. The police station fire escape will cost \$66,550 to replace that. She provided information on that also. The subdivision of land for the new transformer is being finalized by Bruce. We have a backup plan in case the subdivision is not completed prior to delivery.

Solicitor

Nothing.

Treasurer

Approval of additional bills totaling \$127,638.81 and \$200,000 transfer

Mayor

Reconsideration on Police Bay

The mayor spoke to the chief a few times who is in agreement with what their needs are for this topic. He looked at the bay to see what the fire department is using it for. One time there was a pickup and a boat and some hoses.

The police department feels it should be given back to them to safely bring in prisoners, store large equipment, safety of the officers, park the undercover vehicles, hold events for citizens – i.e., car seat checks. These are just some of the reasons to give the bay back to the police department.

Chief Mriss commented that the vehicles the mayor spoke about will not fit where the mayor thinks they will because there is no garage door. The mayor never once asked his department what their needs are or how the department functions. The fire department is made up of volunteers and when you make volunteers mad they stop helping and some upon hearing of this request are already questioning their volunteerism. Patrick is asking council to consider the community's needs. He agrees the police department needs space but this doesn't solve this problem. When the police department had the bay last winter not one police car was in it. They were all personal vehicles.

Councilors Saunders and Abelovsky said this back and forth on this subject will continue until council figures out a permanent solution. The money is not available to just build a new building for the police but a committee should be formed to look into a new location and money put aside for a building that will work for the police.

The Borough Manager suggested forming an ADHOC committee to look at locations, grants and see how to proceed.

Request to move Mayor's office to police department

The mayor suggested putting his office in the front interview room and extending it to use up that area of the foyer. The mayor is estimating the cost to be less than \$1,000. You would only remove a small wall, extend the wall to the end of the foyer and add a door.

Council wanted a cost estimate before discussing the matter any further. The borough manager will work with the mayor on the cost estimate.

Police

Chief Sparich said he did receive an application for a part-time officer. The Chief would like to have him vetted and have him on the agenda next month. Councilor Perry asked if we were to hire him would we then fire him upon hiring full-time officers? The solicitor said no; you would just not schedule him anymore. Chief Sparich said this person would be applying to test for full-time. Councilor Perry said we just approved hiring full-time officers and now you are asking to hire a part-timer and she does not want that part-timer given hours once we are fully staffed again. Chief Sparich said under the bargaining agreement you can use a part-timer to fill in and it is more affordable to do so under the budget. Councilor Abelovsky said when we were fully staffed, we asked to have part-timers taken out of the budget because we didn't need them.

Fire Chief

Chief Mriss said he is not sure the fire escape at the police station is needed and would want that checked out before spending \$66,000. Occupancy less than 50 no fire escape is needed. Vanessa said the cost is based on having the structural evaluation done first and the one at the station is not structurally sound. She will talk to BIA if council wishes to see what their thoughts are.

Councilor Abelovsky said this was discussed a few months ago and she would feel better if there was a second exit point; even if it is only a rope ladder. Chief Mriss said the school is a 2-story building and they only have a stairwell to use.

Light & Power Superintendent

Lonny said the Walker property transfer was not going to be done by the end of February. March 13th the existing transformer is scheduled for demolition. We will not make that date. We have a window of opportunity to get the transformer in place and Lonny is going with Fall. We get 3 months of storage with Virginia Transformer then it costs us money after that. We will be storing the new transformer from March 27th until October or November. The solicitor had a question. We have been talking about this subdivision for over a year. Does the solicitor need to contact Mr. Walker to get the access to the property or not. Lonny said having the access wouldn't hurt but can the subdivision be done faster. The solicitor said no. Lonny said if we can get permission to put the road in and the like we just might make our target date. The transformer is scheduled to be delivered March 27th and dressed out with the complete build of the transformer by the 28th and after the testing should be ready to go live within a week. By April 10th everything should be back to normal but we have a small window to work in due to loads and for the record that won't get any better if we start putting battery chargers in for cars.

Public Works Supervisor

Nothing.

Recreation Director

Absent.

Committee Reports –

Finance and Administration – Lisa Perry, Chair; Rebecca Worthy, Co-Chair – Nothing.

Economic Development, Buildings and Codes – Autumn Abelovsky, Chair; Darryl

Arner, Co-Chair – She said she met with Tyler and there are 3 properties in the downtown with permits for renovations to have a commercial unit and residential rentals on the upper floors. Tyler also was advocating for rental inspections not only for the health and safety of our residents but also for maintaining our borough. She believes 1,300 of our 2,400 properties are rental properties. The inspections will ensure the minimum safety requirements are in place.

Councilors remembered discussing this in the past. Councilor Saunders said he has a rough draft of guidelines for doing a rental property inspection program from about 3 years ago that never went anywhere because Nicole said it would be too expensive to enforce.

The borough manager said the problem will be the cost to enforce the program if you are using an outside firm. If it can be done in-house it will keep costs down. Lisa said the guy Ryan knows charges \$75. Is that a possibility to use him or do we need an outside firm. The Steve said we don't need an outside firm so Ryan will talk to the person he knows about doing inspections for our borough.

Chief Mriss said he was involved with this discussion years ago and the borough had paid for the IBC Fire Inspector program. About 7 people from his department were certified and had the L&I Inspections. Some may have left that lapse but they would only need to take the Con-Ed's to bring them current. That would be an option also. We do them in certain medical facilities and daycares that need them on an annual basis. It might be something the fire inspectors could do to keep costs down with a stipend to the person doing the inspection.

Steve said the easiest way to start the program is to keep it simple in the beginning. It does help because it keeps the fire calls down and makes rental units safer for those living there. It does work. The program can pay for itself if done correctly.

Ryan said he has what he feels is a pretty good rough draft and will send it to the borough manager and the rest of council to look over and have this item brought back to next month's meeting. Steve said he will look it over and tweak it if necessary and then maybe have a committee meeting with this committee sometime this month to go over it.

Police, Fire and Safety – Donnie Rehrig, Chair; Lisa Perry, Co-Chair – Nothing.

Light & Power Committee – Rebecca Worthy, Chair; Ryan Saunders, Co-Chair

Nothing.

Sewer Committee – Darryl Arner, Chair; Autumn Abelovsky, Co-Chair – Nothing.

Streets, Public Works & Recreation – Ryan Saunders, Chair; Donnie Rehrig, Co-

Chair – Nothing.

Library Board – Rebecca attended the meeting. Future events were discussed including a possible storybook walk and a few fundraiser ideas.

Parks & Recreation Board – Autumn – asked where we are on the fountain lights. The borough manager said he has a call into them. We will leave those lights up until the weather breaks and then take them down. Autumn asked if he is drawing up a contract for us and if it will include a new wreath for the front of the building and Steve said yes.

Canal Commission – Ryan – Nothing.

Acceptance of Officials Reports

Councilors Saunders/Arner 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 Perry/Saunders made the motions to accept the accounts payable plus additional bills and transfer and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel

Councilors Saunders/Perry made the motions to go into executive session at 8:35pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/Rehrig made the motions to go back into regular session at 9:18pm and all were in favor with no questions or objections.

Action on Items from Executive Session

None.

Motion to Adjourn the Meeting

Councilors Perry/Rehrig made the motions to adjourn the meeting at 9:20pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary