

May 1, 2023

The regular meeting of Lehighton Borough Council was held in the municipal building on Monday, May 1, 2023. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Lisa Perry, Autumn Abelovsky, Ryan Saunders and Rebecca Worthy and Donnie Rehrig.

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

Pledge of Allegiance

Guest Speaker: Concerned Citizens of Lehighton

Several residents spoke about their concerns pertaining to the Pleasure Lounge and Night Club that recently opened in the downtown and the public safety concerns for residents living on North 1st Street and for those residents visiting the vicinity. The solicitor read a statement concerning the business and how things are and will be handled now and in the future.

HEARING OF PERSONS PRESENT

Ms. Nonweiler of South 4th Street asked for help on how to deal with property line issues and threats to herself at her place of business. The property line issues have been an issue for years but have escalated now that she and her husband own the property. The neighbor causing the problem is a former borough employee. The Zoning Officer is constantly getting complaints to which he responds but nothing the Nonweiler's are doing is a violation. She would hire an attorney for a cease & desist order but was told that won't hold up in court. She doesn't know what to do and feels she is being stalked by the neighbor.

The solicitor said he is glad the Zoning Officer has been responsive to the complaints and asked if Ms. Nonweiler has contacted the police. She said she did when they first moved in to the home in 2017 as the female neighbor was taking photos of herself and her children. Solicitor Nanovic advised Ms. Nonweiler to consult an attorney and follow their advice.

APPROVAL OF MINUTES

Regular Meeting of April 3, 2023

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

Consideration on appointment of Officer Broyles to the position of Corporal

Councilors Saunders/Abelovsky made the motions to appoint Officer Broyles to the position of Corporal and all were in favor with no objections.

Motion to adopt Ordinance 667–2023 pertaining to Horse Drawn Carriages

Councilors Saunders/Abelovsky made the motions to adopt the ordinance and added the permit fees to the Fee Schedule and all were in favor with no questions or objections.

Motion to adopt Resolution R13–2023 amending the Salary Resolution to include part-time police officers and changes to pool employee wages

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

Consideration on adoption of Resolution R14–2023 amending the 2023 Fee Schedule

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

Consideration on adopting R15–2023 pertaining to Sewage Sludge

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

Consideration on request from Mitch 328, LLC for reduction in Letter of Credit by \$67,776.50 – new Letter of Credit amount \$129,028.35 for the Blakeslee Station Project

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

Approval of additional list of Baer Memorial Pool employees for 2023 season

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

Consideration on approval of waiver to Section 196–19.A of the SALDO for Lehighon Ford Land Development Project

Councilor Saunders asked the Borough Manager what waivers are being sought. Steve said they are asking to submit a preliminary/final plan. The Planning Commission granted conditional approval.

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

Consideration on proposal from Wizard of Wire, LLC to refurbish the fountain Christmas Lights

Councilors Abelovsky/Saunders made the motions to approve the \$11,900 proposal and all were in favor with objections.

Discussion on the proposed Rental Inspection Ordinance

Councilor Saunders said he would like to amend wording to include “any calls to police must be founded” in Section 12 A and B.

Councilor Saunders started to make a motion to advertise but was stopped by the solicitor. The solicitor wanted to amend the ordinance first and bring it back next month for council to look over before making any motions.

Councilor Perry asked where the list of what is being looked at is located. The solicitor said in the International Property Maintenance Code.

Consideration on request to hire Alice Baab as a crossing guard pending passing the preemployment process

Councilors Rehrig/Saunders made the motions to approve the hire pending passing the preemployment process and all were in favor with no questions or objections.

Officials Reports

President of Council

Nothing.

Borough Manager

Steve said he emailed council his weekly report and if anyone has questions, they should reach out to him. He had Bryan Smith present to update council where we are at with the Stanley Boulevard Hoffman project. Bryan said they are getting ready to put it out to bid. The project included new crosswalk, 4 bump outs to control speed and an electronic flasher for pedestrians crossing the roadway. Once the bids are received, he will be back to update council again.

Borough Engineer – Active Projects and Task Report

Vanessa wanted council to update council on the EV Charging Station grant award is \$32,000. Engineering is not included in the grant but if council wishes to move forward, she will give council a proposed engineering cost figure. Normally, grants are good for 2 years and if that is a better option, she will notify DEP that we will use the funds at a later date. If council does not wish to proceed the grant just goes away.

Solicitor

Solicitor Nanovic asked about Lehighon Ford wanting conditional approval tonight. We only granted the waiver but not approval of their plan. Vanessa agreed. They have made a resubmission of their plans and addressed all my concerns. The only outstanding issue is the letter from the Conservation District. The solicitor said if Vanessa's comments have been met, council can agree to give conditional approval provided the letter from the Conservation District is received and they comply with the conditions from that District if they wish.

Councilors Rehrig/Abelovsky made the motions to grant conditional approval to Lehighon Ford provided we receive the letter from the Conservation District and they comply with those conditions and all were in favor with no questions or objections.

Treasurer

Approval of additional bills and transfer

Mayor

1. Trinity Lutheran Church Proclamation
2. Zion UCC Church Proclamation

The mayor read both proclamations for the 150th Anniversaries of both churches

Police

Chief Sparich will be posting the 2024 police schedule by September 2023. His department will be down 4 officers. Councilor Perry commented that there is an officer out on Heart & Lung and wondered if that could be discussed in executive session and was told yes.

Fire Chief

Chief Mriss commented on the group that is coming together to form a fire department auxiliary to help both administratively and financially. The department will be celebrating their 150 year anniversary next year. They are looking at holding a celebration next year also.

The fire ban that is in place will most likely be over tomorrow.

Light & Power Superintendent

Lonny said the 2nd transformer was delivered a little over 2 weeks ago. The truck driver inadvertently drove some of the top fittings into a tree during the delivery. The unit was removed and set in place. They spent a few days rebuilding the top end of the transformer that was damaged and got it set up and tested. As of 9 a.m. today the transformer is on line and the borough is back to normal.

Lonny also commented that we have 60 foot poles now on 443. His bucket trucks do not go that high. He got numbers on a new truck for servicing these poles at an estimated cost of \$368,968 as of last Friday's pricing but he will not know the final cost until delivery. The chassis is \$101,993 and the boom is \$266,975. If you were to place the order today you might get the chassis by 2025. He is concerned that the longer we wait to order a new truck the longer it will take to get here and once the contractor pulls out from the project everything gets turned over to the borough leaving his department with truck that can't reach the top of the poles. Council will need to decide soon as what they want to do.

Public Works Supervisor

Kris said he is in a quandary on what to do with the streetsweeper. It is 30 years old and keeps breaking down and isn't sure he can get some parts to fix it. He has done all of the town, both sides, once so far. He is looking for direction on what to do. Councilors Saunders said to hold off sweeping. Councilor Perry said if this was something that has been happening and need to be replaced it should have been in the budget for this year. Kris said it should have been in the budget 5-7 years ago when he brought it up. Kris can rent a sweeper for \$12,000 per month. The manager said he has a call in to the USRDA who has loans and grants for things like this. He suggested going for the grant and financing the rest of it all through the USRDA and this financing goes up to 40 years instead of Penn Vest who goes 30 years.

Councilor Abelovsky asked to have more information provided to council before making any decisions and hold off on sweeping the streets. Councilor Rehrig told Kris to sue the time to see if parts can be gotten to fix it.

Kris also reported the new playground equipment has been installed.

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 – Autumn reminded council of the Flower Tent's ribbon cutting on Thursday.

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 – absent.

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

Library Board – Rebecca had nothing.

Parks & Recreation Board – Autumn thanked council for approving the fountain lights.

Canal Commission – Ryan had nothing.

Acceptance of Officials Reports

Councilors Saunders/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, additional bills totaling \$396,596.44 and \$300,000 transfer

Councilors Perry/Worthy made the motions to accept the accounts payable plus additional bills and transfer and all were in favor. Autumn had a question regarding the budget vs. actual Cathy provides concerning the Service Contract line item. We are at 108% after 3 months of what we had budgeted. Office Equipment, Maintenance and Repair line item is at 140% of our budget. That's almost double the budget. It looks like we are getting charged \$150 for every call with about \$6,000 on for the bills to be approved tonight. Autumn wants to be sure we are being frugal with these line items and asked how we are paying for them. I know it has to come from somewhere but where? Steve said part of the \$6,000 was for a new computer the pool needed plus the monthly contracted amount and any equipment that was needed to be purchased and am monitoring this to keep it down. Ryan said that Tom was upset that it cost that much to literally set up the computer in a half hour. Autumn said she was told the computer cost twice what it should have cost and wondered if Steve was looking into that plus things still are working properly in any department. She would like to have Steve try to have them not charge us to come out and fix things a second time.

Autumn asked when we was Officer Green's letter because of reimbursing him for \$480 of ammo. The Chief said that was ordered a few months ago.

Motion to go into Executive Session for Personnel

Councilors Saunders/Rehrig made the motions to go into Executive Session at 8:23 pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/Autumn made the motions to go back into Regular Session at 8:56pm and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Perry/Rehrig made the motions to adjourn the meeting at 8:56pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz

