

July 10, 2023

The regular meeting of Lehighton Borough Council was held in the municipal building on Monday, July 10, 2023. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Lisa Perry, Autumn Abelovsky, Ryan Saunders, Darryl Arner and Donnie Rehrig.

Officials in attendance were: Borough Secretary Brenda Kreitz, Solicitor James Nanovic, Borough Engineer Nahi Khoury, Police Chief Joe Sparich, Light & Power Superintendent Lonny Armbruster and Public Works Supervisor Kris Kunkle. Absent: Rebecca Worthy, Mayor Clark Ritter, Fire Chief Patrick Mriss, and Recreation Director Tom Evans.

#### Pledge of Allegiance

#### Guest Speakers: Susie Zern – Request for Pickle Ball Court at Baer Memorial Park

Mark Hoffman spoke on behalf of the group requesting Pickle Ball courts at Baer Memorial. It is the fastest growing sport right now. A proposal was given to council. Three courts could be put on one basketball court. The only cost to the borough would be for the paint. The group will buy the nets or bring their own. Skyline would be a great location for a permanent court if the sport doesn't turn into a fad. The Tennis Club has a court but you must be a member to use it. The Rec Center also has them indoors but it is hard to get in there to play as they can only be used at certain times.

Councilor Rehrig said he thinks the best location would be the basketball court at Baer Memorial and Councilor Saunders agreed. Ryan did feel if this sport stays popular then Skyline would be a good place to utilize.

Councilor Rehrig/Saunders made the motions to have Public Works line a basketball court at Baer Memorial with Pickle Ball lines and all were in favor with no questions or objections.

#### Bambi Elsasser, Lehighton Main Street Manager – Updates on the Lehighton Downtown Partnership

Bambi said the sign at the North end of the bypass is up and hopefully it will bring more traffic into town. She has applied for the Greater Lehigh Valley Main Street grant to hopefully get more signage for the downtown and on the bypass. The caboose restoration is moving along. She is hoping to have it painted by the end of the year. The plastic recycling project is working on its third bench.

Bambi asked if 10 garbage cans on 1<sup>st</sup> Street could be included in the next garbage contract. She will purchase the cans but would like them to be included in the contract for trash removal. Council was ok with the addition. She would still like to get a couple bike racks on 1<sup>st</sup> Street if the ordinance could be changed.

The fireworks and Wine on the River were both a great success even though the location changed. The Framer's Market is also doing well at their new location.

There will be 3 movies in the park, one in August, September and October. "Go Joe" will be finishing his bike ride in Lehigh and she would like a few fire trucks if possible. National Night Out will be August 1<sup>st</sup> and she is working with the police department on that.

Autumn reminded Bambi that council had requested a written synopsis of what she had done last year and it still has not been received. Bambi will provide it for next month.

#### HEARING OF PERSONS PRESENT

Bob Schafer of Joker's Wild Gaming Café spoke about the firing of Mr. Travers. He was the first borough representative to listen to the businesses. They are now meeting with Mrs. Abelovsky and are thankful she is taking an interest in listening to their concerns.

Bill Strubinger of 475 North 8<sup>th</sup> Street was present to request purchasing a portion of Ochre Street next to his home which he has maintained for over 20 years. He is currently doing a subdivision and needs to know how to address the R.O.W. for Ochre Street and/or Queen Alley. The solicitor said the street has not been vacated and the alley R.O.W. is still valid. The only way to acquire the property would be to put it out to bid and there is nothing to keep someone else from bidding on it.

Tina Henninger of 165 South 1<sup>st</sup> Street suggested a low cost way to make the downtown a little bit more appealing and safer. She has spoken to the Quality of Life officer about the nuisance occurring in the downtown like litter and dog poop. Maybe the borough could hire a retired person to do this and maybe if people are given small fines for these actions, it will stop and the downtown will look a little nicer.

Craig Kovacs, owner of Victory Estates, was next to speak. He questioned the cost of the rental inspections for his business. He has 63 units and the cost of course will be passed on to the tenants. The fees will be set by resolution after the ordinance is adopted. Autumn said in the meeting she attended the fee of \$150 was discussed for the initial inspection and a follow up inspection if needed would be included in the fee. Any subsequent inspections would be \$50. None of this has been finalized.

Mr. Kovacs had one other issue to discuss pertaining to a zoning issue with 160 South 6<sup>th</sup> Street he filed over 1 1/2 years ago. The rear of the property looks like a junk yard and is visible from two of his buildings. Mr. Kovacs was told to call Tyler and follow up on this.

Autumn commented on a few items Mr. Schaffer brought up. She said she did follow up with Mr. Schaffer after Mr. Travers was let go. Autumn said Bambi has set up a meeting with the Jim Thorpe police department, Commissioners, the Lehigh and Jim Thorpe Boroughs and the Railroad to discuss the traffic making right turns and Autumn will follow up with Mr. Schaffer and Ms. Henninger after the meeting. As far as holding renters accountable, we are putting the ordinance in place. 57% of our properties are rentals with owners living away from the borough. This ordinance will require those property owners to have a property manager who lives within 25 miles of the borough. As far as blight, we did take down 1 building and are working on taking down another. Ryan said he thinks the new rental ordinance will help curtail new owners from causing more issues and make our downtown better.

## APPROVAL OF MINUTES

### Regular Meeting of June 12, 2023

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

## UNFINISHED BUSINESS

### Continued discussion on moving forward with the EV Charging grants

Council voted to discontinue pursuing the grants as the revenue generated was minimal compared to the match required by the grants.

### Continued discussion on changes to the garbage contract

The borough secretary provided council with the draft contract and a memo with the changes discussed. Council requested the secretary not to include recycle cans in the contract and pursue a grant for them instead. They also still want a 1 day pick up and no earlier than 5 a.m. A pre-bid meeting will be held prior to advertising for bids. Council also requested the extension clause be put back in the contract.

## NEW BUSINESS

### Motion to adopt Ordinance 668–2023 Rental Inspections

Councilors Saunders/Abelovsky made the motions to adopt the ordinance and all were in favor with no objections.

### Motion to award 2019 Ventura Boat Trailer bid to Leroy Hoover for \$500

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

### Motion to award 1992 SP Construction Trailer bid to Darrin Knox for \$665

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

### Consideration on allowing Public Works to use the Admin Vehicle

Council is aware Public Works is down a vehicle but can't spend the money for another one at the moment. The Admin vehicle has been being shared by the police and public works and council has agreed the two departments should keep sharing it for now.

### Discussion on engineering firm to handle MS4 reporting

Councilors Perry/Abelovsky made the motions to approve Carbon Engineering to continue with the MS4 reporting for 2023 only and all were in favor with no questions or objections.

### Approval to hire Justus Altmiller as a full-time officer pending passing the pre-employment process

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

### Motion to update the Police Civil Service List

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

### Approval of purchasing L&P new Freightliner for \$369,377

Lonny said this was built into the electric rates with the new transformer. We will probably use this to replace the oldest bucket truck. We will have it sometime in 2024 or 2025. The PennDOT project will not end for at least another year and until the project ends, they are responsible to do repairs.

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

### Discussion on the draft LERTA Ordinance

The solicitor said this was sent out to the various taxing authorities to review. We must first hold a public hearing then make a motion to advertise at the next council meeting. Autumn did ask if the entire town could be in the LERTA district and the solicitor said yes. Autumn thought the \$75,000 project cost was high. The solicitor said council could change it.

### Consideration on proposal from Keystone Technologies for "IT" service

The borough secretary said she and the treasurer have met with the company several times and are very pleased with what they were told. The police department was to have Keystone as their "IT" service but DRC was brought in instead. Council would like Mr. Gildner to attend the August meeting to discuss the proposal.

### Discussion on 2023 CDBG Application for North Main Lane

Council had requested Brenda to have Kris choose 5 streets that need to be redone. North Main Lane was on the list and the easiest to be done.

Councilors Saunders/Rehrig made the motion to approve submitting the application and all were in favor with no questions or objections.

### Discussion on Street Sweeper repairs

The borough secretary had been requested to contact Jim Thorpe and PennDOT to see who they use. Stanley Sweeper out of Bath is used by PennDOT and Jim Thrope uses All Sweeping. Both companies have been contacted and proposals have been requested for the August Meeting. Some council members are not in favor of renting a sweeper but it seems to be the best bet until the end of the year. Kris and the borough secretary tried to contact Martin Sweeping but no one will return the calls.

### Approval to put CDBG Senior Center Roof Replacement project out for bid

Brenda said Vanessa has a proposal in her report. The project must be completed by the end of the year.

Councilors Rehrig/Saunders made the motions to put the project out for bid and all were in favor with no questions or objections.

The owner of Charlie's Vision Wigs and Boutique on South Street came late to the meeting to request a handicapped parking space in front of her business. She is handicapped and so are some of her clients. It is difficult for her to park across the street and carry packages.

Council agreed to allow the handicapped spot be the last spot below the curb cut with the days and times she is open posted on the sign so when she is not open, residents can use the spot if needed. They also agreed to have the sign at the corner of North & South First

removed and relined for anyone to park there. Charlie's Wigs is open Tuesday through Saturday 9– 6:30pm

#### Discussion on moving forward with the Demolition of 135–139 North 1<sup>st</sup> Street

Brenda said the CDBG funds are available from 2020 – 2022 for the project totaling \$267,262 and an LSA grant Nicole had applied for in the amount off \$37,886 to make up the difference. The concern is engineering fees. She did call Eric Snyder to see if the price he had quoted Nicole was still valid. He has not returned the phone call. Depending on how the invoices come in we might be lucky and have most of the invoices come in next year. Nicole did budget \$18,000 to pave the borough lot on the bypass so we might have that to use. What she had budgeted for engineering fees for this project has been used.

Councilors Rehrig/Saunders made the motions to have Brenda take the next steps in moving forward with the project to see if it is still feasible to do and all were in favor with no questions or objections.

#### Officials Reports

##### President of Council

Nothing.

##### Borough Secretary

She provided council with a report of what she has been handling in the absence of a manager.

##### Borough Engineer – Active Projects and Task Report

Nahi said the Leighton Ford Land Development was given conditional approval in May. The grant application for I&I should be announced soon.

##### Treasurer

Approval of additional bills and \$200,000 as needed

##### Solicitor

He finally had closing on the Summit Avenue property. No more grass cutting. The Walker property is waiting on Carbon Search & Settlement to have the settlement. Hopefully that will be in a week or two. The plans have been recorded.

He also had one item for executive session.

##### Mayor

Absent.

##### Police

Chief Sparich thanked council for approving the new hire. National Night out is August 1<sup>st</sup> 5pm –9pm. He will email everyone the results of the speed study done on the bypass.

##### Fire Chief

Absent.

##### Light & Power Superintendent

Lonny thanked council for the approval of the new bucket truck. He also wanted 5 minutes in executive session.

## Public Works Supervisor

Kris said he had a request from Calvin Ulshafer of PennDOT. He wants a no parking sign on their building's side of South 9<sup>th</sup> Street for the turning lane they are going to paint for us as part of their project. Our ordinance for the no parking in that area is for 205 ft. Do we need to amend the ordinance for another 100ft in order to do what PennDOT is requesting?

Councilor Perry said this was discussed before and council decided to do nothing until they sign off on the traffic light. They won't sign off on the transformer box so we are waiting for them to sign off on it before we do anything.

Solicitor Nanovic said the agreement was signed 2 years ago with the LASD. There was the issue of the easement with the PennDOT property. Steve had contacted Jim about the status of this and was going to go to the school and address this. Jim wasn't sure if Steve ever did.

The solicitor said the next step is that someone should be talking to the school district about this and coordinating with PennDOT. Brenda said that as part of the 443 project, PennDOT will be coming in and painting the turning lane and is giving us time to amend the ordinance before that happens.

Lonny asked if there is a traffic signal plan and was told yes. If there is that may hold all the answers because the borough has to sign off on the plans. The solicitor said the school was going to prepare the application and submit it.

## 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 met with the downtown businesses. She is meeting with the County and Jim Thorpe along with other members of council to discuss the issue with the traffic pattern. The businesses feel let down by the borough and the Downtown Partnership.

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

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

Sewer Committee – Darryl Arner, Chair; Autumn Abelovsky, Co-Chair – Autumn asked what is up with the \$400,000 owed to us by Weissport? Grant said they owed the borough that since the old sewer plant. Autumn asked why it was never pursued. Grant and Donnie said it was pursued at one time but they never paid it. It goes back 30 years that Weissport owes us that money. Donnie said they are currently paying CCMA for flow right now.

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

Library Board – Rebeca was absent. Autumn said on August 13<sup>th</sup> 1–4pm will be the library's 75<sup>th</sup> Anniversary.

Parks & Recreation Board – Autumn said the first Music in the park series has occurred with a huge turnout.

Canal Commission – Ryan said they have gotten approval for most of the grants applied for and will be putting them out for bid late this summer. They are well on their way to getting the locks and spillways cleaned up.

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, additional bills totaling \$13,836.44 and \$200,000 transfer as needed

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

Motion to go into Executive Session for Personnel

Councilors Saunders/Arner made the motions to go into Executive Session at 9:10 pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/Arner made the motions to go back into Regular Session at 9:35pm and all were in favor with no questions or objections.

A letter is to be sent out by Councilor Perry regarding overtime. She is to approve any overtime in the absence of a manager.

Motion to Adjourn the Meeting

Councilors Perry/Arner made the motions to adjourn the meeting at 9:37pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz  
Borough Secretary