

August 7, 2023

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, August 7, 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, Rebecca Worthy and Donnie Rehrig.

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

Pledge of Allegiance

PUBLIC HEARING: LERTA District

Mr. Ed Rarick, Business Administrator, spoke representing LASD, Dr. Fish and a school Board member Brian Shaner were also present. Mr. Rarick said the LERTA district is for dilapidated areas and designating the entire borough does not meet that criteria. Their solicitor addressed other concerns in his letter to the borough solicitor.

Solicitor Nanovic said the 2 main concerns from the school district was the designated district and the timing of it. We had 10 years and believes the LASD solicitor suggested 5 years. Mr. Rarick said they originally were ok with the 10 years but their solicitor wanted to make the board aware it could be less.

The Borough Solicitor said the ordinances do not have to match exactly but should have some similarities or no one is going to make use of it. Mr. Rarick then commented on another glaring piece – that to qualify for exemption is the current value listed is \$75,000. \$75,000 of an investment in a property does not necessarily translate into a change in assessment of \$75,000. He would be willing to bet it wouldn't go beyond \$75,000 and spreading \$75,000 of tax dollars over 10 years doesn't seem financially responsible. LASD thinks that value should be significantly higher. In the case of Lehighon Ford, they were investing \$4-\$5million in the community and a \$75,000 investment over a 10-year period would be too much to manage for tax purposes.

The Borough Solicitor asked Mr. Rarick if the LASD had an area in mind. Mr. Rarick said the 443 corridor was what came to his mind first. Councilor Perry said the reason we did the whole borough was that we have businesses throughout and we didn't want to exclude anyone. Councilor Abelovsky said there are more dilapidated areas in town than on 443 and the thought was if the entire town was in the LERTA district it might spark some interest in renovating properties in the other areas of town.

Mr. Rarick said he doesn't think this is a deal breaker and LASD would participate anyway but the amount just doesn't seem worth it. Hearing closed.

Guest Speakers: Andrew Gildner of Keystone Technologies – “IT” Service

Mr. Gildner spoke to council about taking over the borough’s “IT” service and to answer any questions they might have. Councilor Perry asked if it would be a flat fee per month and was told yes. Mr. Gildner also said they would work out a 5-year plan so that an amount could be budgeted for to make things easier going forward at budget time. He would also like to come on board ASAP before the contract expires so the borough is not paying additional fees to the incumbent. The monthly fee would be \$3,450 to cover all departments of the borough and includes remote log in, phone calls, etc. \$85/hr. per hour for onsite visits and Keystone would waive the emergency fees.

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

Bambi said they have been given permission from Rumor’s Hair Salon to place a Welcome sign at the beginning of the bypass and she is working with Jet Signs for that. She has met with the D&L Trail on possible beautification projects. She is hoping to utilize some of them for the caboose project and other areas of the bypass. She is still waiting for the design from the landscaper to go around the caboose. She will be applying for a façade grant when it comes out in September. There was a great turn out for the “Go Joe”, National Night out and Christmas in July events.

Councilor Abelovsky asked Bambi if she had a specific budget for the borough as being the Mainstreet manager. Bambi said she has one for the LDP and will have to check with the Chamber as it falls under the chamber also before providing it to council.

HEARING OF PERSONS PRESENT

Craig Kovacs, owner of Victory Estates addressed the rental ordinance again and how it will be rolled out. He needs to prepare for the cost of the inspections as he will have to pass that on to his tenants. He also wonders if he could have one building done in each quarter. He will not be able to comply if they are all done at once even with minor improvements.

Councilors Abelovsky and Saunders also commented that things are still being figured out and looked at with nothing in place as of yet.

Glenn Claypoole wants to buy the building the borough is going to tear down. He has 2 other contractors in on the restoration of the building. Mr. Claypole has bought other properties across the country in worse shape than this one and would like to do the same for this property. Mr. Claypool forgot to make council aware that he has a notarized letter from the current owner who will step out and let Mr. Claypoole have the building.

Solicitor Nanovic said if Mr. Claypoole wants to put a detailed written proposal together and provide it to the borough he can. We are still going to act on the engineering proposal tonight but either way that is a long way from tearing the building down. Mr. Claypoole would need to have the proposal to the borough prior to the next council meeting.

Tim Snyder, owner of TNT Auto Repair on Iron Street wanted permission to hold his annual car show again September 29th and to have permission to block off Iron Street from King Alley to the corner of South 7th Street to park 20–23 cars.

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

Tina Henninger of 165 South 1st Street – she is doing a “Witches Midnight Market” event which has really taken off on Facebook. Rumors have started circulating about what the event really is. Ms. Henninger said it started as a vendor fair inside her building but has grown past that. 1,700 people have expressed interest in attending the event and the downtown really needs this. They have been hit really hard over the last couple of years. She will be meeting with the Police Chief in early September to go over logistics and crowd control. She just wanted to see if council had any questions about the event. Ms. Henninger was told to get a use of facility form from the borough for using the Lower Park as her starting point but council had no other comments.

John Eremus of Lehigh. He had 3 issues with the 1st being against the Lehigh Police Department. He spoke to the Chief about an incident but the Chief never called him back. Mr. Eremus feels the police are harassing him and he doesn't know why. Mr. Eremus said it is retaliation and it has got to stop. The next concern is with the police dispatcher. Mr. Eremus said he called the dispatcher about several incidents. The dispatcher told Mr. Eremus to stop telling them how to run their operation. Mr. Eremus wants it to stop.

APPROVAL OF MINUTES

Regular Meeting of July 11, 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 Keystone technologies proposal for “IT” services

Councilors Perry/Worthy made the motions to hire Keystone Technologies and all were in favor with no questions or objections.

Continued discussion on street sweeping options

Councilor Perry asked if sweeping was needed throughout the whole borough for the rest of this year. Councilor Rehrig said no. It is done in Spring. The bypass, North, South and 1st street has been done every Wednesday and they are the places that would need to be done until the end of the year or until the weather no longer permits. He feels we should go with the hourly rate provided or the 4 hour rate would be reasonable. It should take more than 4 hours to do those areas every other week until we can come up with a solution for a new street sweeper whether it's putting it in next year budget or looking for funding.

NEW BUSINESS

Motion to give final approval to William Strubinger Minor Subdivision

Councilors Perry/Rehrig made the motions to approve the minor subdivision and all were in favor with no objections.

Motion to accept Tim Ream's resignation from Lehigh Planning Commission

Councilors Abelovsky/Worthy made the motions to accept the resignation with a letter of thanks and all were in favor with no questions or objections.

Motion to appoint Alton Steigerwalt to the Lehigh Planning Commission

Councilors Rehrig/Perry made the motions to table this item until after it has been advertised for volunteers and all were in favor with no questions or objections.

Consideration on proposals for demolition of 135–139 North 1st Street

Councilors Saunders/Worthy made the motions to accept Keystone Consulting's proposal for the project and all were in favor with no questions or objections.

Consideration on renewing DRC Technology's contract

Councilors Perry/Rehrig made the motions to not renew the contract and all were in favor with no questions or objections.

Approval of the updated Civil Service List

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

Motion to approve Mek–Tek 2024 Preventative Maintenance Inspection Agreement quote of \$11,500 for the Annex building

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

Approval to sign 2023 CDBG Application for the North Main Lane Road Improvement and Borough Parking Lot Improvement Projects

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

Discussion on applying for an LSA grant for the purchase of a street sweeper

Councilors Saunders/Rehrig made the motions to have BIA proceed with the grant application and all were in favor with no questions or objections.

Consideration on request from Mitch 325, LLC for a reduction in his letter of credit to \$12,793.50

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

Discussion on the Nace Property at 340 North Third Street

Solicitor Nanovic said there is a judgement against both Mr. & Mrs. Nace. It isn't much and he does not think any action should be taken on that because he doesn't want to throw the couple out of their house. The other option that Nicole had looked at was to hire a company to go in and clean it up but by the time the company was hired the Nace's had the place cleaned up. The solicitor said that is what he thinks should be done again. Find a company and get a quote, give the Nace's 20 days or whatever. They won't do it but then have someone clean it up and lien the property for the cleanup costs. It is really awful. Councilor Perry said we just did this 2 years ago and Councilor Rehrig said it has been going on for over 10 years, Councilor Saunders suggested if we do this to put some sort of verbiage in the original letter stating there will be no extending the timeframe.

The solicitor said he recommends sending them a letter again and in the meantime getting a quote of what it will cost to have it cleaned up so at the September meeting council will have an idea of the cleanup costs.

Councilors Rehrig/Saunders made the motions to have the solicitor write the Nace's a letter to clean up the property and all were in favor with no questions or objections.

Consideration on awarding Livengood Excavators the Stanley Hoffman Blvd. Pedestrian Project totaling \$690,092.25

Councilors Perry/Rehrig made the motions to approve the award to Livengood and all were in favor with no questions or objectives.

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

Absent.

Solicitor

He requested an executive session.

Treasurer

Approval of additional bills.

Mayor

Absent.

Police

Discussion of continuing with 12 hour shifts for police – done on a 1-year trial basis

Chief Sparich provided an explanation of the differences in the shifts. According to the Bargaining Agreement both sides have to agree. The solicitor asked the Chief if he wanted to retain the right to go back to 10 hour shifts. Is there any benefit to keeping that wording in the contract. Councilor Perry asked if there needs to be a motion for this and the solicitor said he wanted to discuss that in executive session.

Autumn did not like the wording in the beginning. She asked the Chief to explain his 3rd paragraph. The Chief said it is more when an officer goes to County court. If the officer is there for 15 minutes and they get a full day's pay. That's 12 hours rather than 10 hours. When it's at the Magisterial court he believes the minimum is 2 hour pay.

There is a grant for body cameras for \$20,000. Someone needs to be designated to finish it and wants to know if council wants him to do that so he can let Remington & Vernick know.

Councilors Saunders/Abelovsky made the motions to have Chief Sparich be the contact source for the body cameras and all were in favor with no questions or objections.

Chief Sparich thanked everyone who helped out at "National Night Out." It was a huge success.

Fire Chief

Chief Mriss said their annual Strategic Planning meeting will be held September 9. at 9 a.m. at the station. It is open to the public and anyone on council that would like to attend.

We go over our 5, 10, 15 and 20 year plan. They will discuss their needs projections and anything else they will need as a department. He also had a personnel item for executive session.

Light & Power Superintendent

Lonny requested a few minutes of executive session.

Public Works Supervisor

Kris was called out of the meeting to deal with flooding on Bridge Street.

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 attended a meeting Bambi set up with the commissioners, Jim Thorpe Borough, the railroad and Pocono Visitors Bureau to discuss the no left turn out of the County lot. Autumn said there was a lot of talk around the table and a lot of suggestions on what Lehighton can do better but nothing on a compromise to help us. The Visitor Bureau will do rack cards for businesses in the Borough but that was the only positive thing that came out of the meeting.

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 had nothing.

Parks & Recreation Board – Autumn said she finally confirmed Christmas trees for the 8th Annual Christmas in the Park.

Canal Commission – Ryan had nothing.

Acceptance of Officials Reports

Councilors Saunders/Perry 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 \$20,828.01

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

Motion to go into Executive Session for Personnel

Councilors Rehrig/Perry made the motions to go into Executive Session at 8:13pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Saunders/Perry made the motions to go back into Regular Session at 9:04pm and all were in favor with no questions or objections.

Motion to Amend the Agenda

Councilors Perry/Rehrig made the motions to amend the agenda for the following items and all were in favor with no questions or objections.

Motion to advertise the LERTA Ordinance

Councilors Perry/Saunders made the motions to advertise with the additional verbiage and all were in favor with no questions or objections.

Motion to give a \$3,000 to Brenda, a \$1,000 bonus each to Cathy and Kim as a thank you for helping out through the absence of a manager

Councilors Perry/Worthy made the motions to approve the bonuses and all were in favor with no questions or objections. The Borough Secretary asked if she could ask a question and was told yes. Brenda asked if Cathy could be given more because she did a lot more and was told no that these amounts were what they agreed on.

Motion to hire a Borough Manager

Councilors Perry/Worthy made the motions to hire Dane DeWire as Borough Manager and all were not in favor. Roll call: yes – Councilors Worthy, Rehrig, Perry, Hunsicker; No – Councilors Saunders, Abelovsky, Arner. Motion carried.

Motion to Adjourn the Meeting

Councilors Perry/Saunders made the motions to adjourn the meeting at 9:07pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary