

September 11, 2023

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, September 11, 2023. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Autumn Abelovsky, Ryan Saunders, Rebecca Worthy and Donnie Rehrig.

Officials in attendance were: Borough Secretary Brenda Kreitz, Borough Manager Dane DeWire, Solicitor James Nanovic, Mayor Clark Ritter, Cpl. Bruce Broyles, Light & Power Superintendent Lonny Armbruster and Public Works Supervisor Kris Kunkle. Absent: Councilor Lisa Perry, Darryl Arner, Fire Chief Patrick Mriss, Borough Engineer Vanessa Nedrick and Recreation Director Tom Evans.

Guest Speaker :Ketih Heckman – Ambulance Company Presentation

Mr. Heckman was unable to attend so in his place Tom Correa Jr. and Tim Riggoti gave the overview of what the Ambulance Association provides for Carbon County.

Pledge of Allegiance

HEARING OF PERSONS PRESENT

Mr. Dennis Blocker, a business owner in Lehighon shared his research on the LERTA ordinance with council and asked that they take a closer look at it before passing the ordinance. He said the possible lost revenue could be huge as most businesses fail in the first 10 years and the tax break is for 10 years and will have no way to collect the money.

Dave Miller of Within Harmony said he understands the revitalization plan and wants to be part of it. Lehighon needs more draw and foot traffic to revitalize the town successfully. They will be hold the “Ghost of Lehighon” walking tour again this year with the help of the Lehighon Heritage Alliance. Last year people drove to Lehighon from Philadelphia for the tour and that is saying something.

Tina Henninger of Wine and More would like to close 1st Street for the Witch Market in October. She said the businesses are excited about the event and she has had a lot of vendors sign up already. She will be holding a few spots for non–profit groups also. She has submitted the Borough permits and has the PennDOT application ready for submission tomorrow.

APPROVAL OF MINUTES

Regular Meeting of August 7, 2023

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

UNFINISHED BUSINESS

Continued discussion on 12 hour shifts for police

The solicitor asked what council would like to know. Councilor Rehrig asked how to stop it. Solicitor Nanovic said at the last meeting council said they were sort of inclined to do it with the exception of how it would affect an officer’s court time. President Hunsicker said it was a 1 year trial period and the solicitor agreed and said it does not need to be continued if

council does not want it continued. Councilor Rehrig asked if we need to do something with the contract and the solicitor said yes.

Councilor Abelovsky said she thought the problem was with the court time. If they have court they are still getting paid for 12 hours and we were looking to change that. The solicitor said they are willing to agree to the change to 8 hours. It must be revised again and once the revisions are made the solicitor will send it out again to Brenda and the Mayor.

Councilor Abelovsky said it sounded great last month but since then a lot more has been brought to council's attention regarding scheduling and overtime. As much as the past Chief said it was working, it wasn't working at the detriment of our budget. She thinks there needs to be a lot more discussion before council agrees to anything and Councilor Rehrig agreed. Donnie said he was of the impression that by going to the 12 hour shifts the overtime would be curbed but that is not what we are seeing. He feels it has created a department issue. The Mayor said partly it is that we are still down 2 men. Donnie said the overtime is ridiculous regardless of being down 2 men. He suggested further discussing this and take time to think about what we will do from here.

Continued discussion on street sweeping options

The borough manager reached out to Mary Himmelberger who is handling the grant writing for a new one. He reached out twice but has not heard back from her yet. He confirmed we have 2 quotes for street sweeping services at a one time sweep price. The last discussion he is aware of was to go with cheaper of the options giving us a better value because they were not charging us portal to portal for gas and tolls. It is \$173 for a 4 hour sweep. The company is out of Kutztown and they are willing to come and see what can be done in the 4 hours.

The manager said he spoke to Brenda who was handling this and discussed the frequency for this and both agreed 6 weeks would be good. If we decide to go with this company for a second try we will know if the 6 weeks works and that will get us to the end of the season and a better answer on continuing with this process for budget purposes. He will schedule something for the last week of September.

Councilor Rehrig asked for feed back on how the trial went for the next meeting and Mr. DeWire said he will provide something.

Continued discussion on clarification of Handicapped parking space for Charlie's Vision Wigs

Councilor Rehrig said we did discuss this. Donnie had suggested moving the one from the corner of South 1st up to her business. We were simply moving the current sign from one place to another; then we found out the sign at the corner had been removed at some point and it couldn't be done. He has no idea how the owner being charged for the space, having it as her space came about.

Councilor Abelovsky said that came up when the sign we were moving wasn't there. Council directed Kris to move the sign currently on South 1st Street to in front of her business with just generic hours of enforcement like M-F 8am – 5pm so residents can park there otherwise.

NEW BUSINESS

Motion to give conditional approval for the Blue Ridge Pressure Casting's Building Addition

Councilors Rehrig/Saunders made the motions to give conditional approval and requested the engineer's review letter be provided in the future and all were in favor with no objections.

Motion to appoint Keith "Cookie" Schnell to the Planning Commission

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

Motion to adopt Ordinance 669 Establishing the LERTA District for the Borough

Mr. Blocker said it is his understanding that the Leighton Ford will be demoing the building and that is not allowed under the LERTA. The solicitor said that there is a clause in our ordinance that is they raise a building the assessment at the County level will not be less than the current assessment.

Council requested this item be tabled until they are given more information due to what Mr. Blocker said this evening.

Consideration on joining Civil Service Consortium for police testing

The borough secretary gave council what information she had on this item stating it will be beneficial for testing purposes and should provide a larger hiring pool that doing it on our own.

Council requested that Chief Kromer and/or Chief Schatz come to the October meeting to explain in more detail how the program will work.

Motion to approve the 2024 MMO for the Borough Pension Plan

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

Motion to approve the 2024 MMO for the Borough Police Pension Plan

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

Discussion on Trailhead Pavilion loitering issue

Kris said he spoke to the borough manager and Brenda about it. There are people coming out of "tent city" in the morning and spending the day under the pavilion. There is no ordinance pertaining to loitering and these people are deterring other people using the trail from using the pavilion. They are taking up residency there so to speak all day.

Councilor Saunders asked if there was anything on the books that would allow us to put a sign down there? It's for public use so how do you police something like that.

The solicitor pointed out that you can have the police patrol down there and make it uncomfortable for those people to be there but then where will they go? Because they will go somewhere and it could be somewhere you don't like them at more than you don't like them at the pavilion.

Council suggested putting a "No Smoking" sign down there and see if that helps. Kris will do that and see if it helps.

Council requested the solicitor to draft an amendment to the Municipal Property ordinance to include the Trailhead Pavilion.

Approval to hire Christopher Novak as a full-time officer pending completing the pre-employment process

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

Motion to adopt Resolution R19-2023 – Destruction List

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

Discussion on possible Zoning Application fee

The borough manager said Tyler brought to his attention due to getting an abundance of calls from out of town people asking what they can do with properties for sale in the borough instead of doing the research themselves. He is doing more research than his job helping residents with their issues.

Tyler is suggesting a \$25 application fee and if the permit is approved the \$25 is deducted from the permit fee. If they do not go through with the permit process they forfeit the money.

Councilor Abelovsky is against this. Tyler should answer their questions as part of his job and not charge a resident a fee to have questions answered.

Mr. DeWire said it is not the residents Tyler is having the issue with it is people from out of state, developers who are looking to buy commercial properties and asking him what can be done with them. Maybe we could do something different for residents. Council directed the manager to draft a fee schedule and present it at the next meeting.

Discussion on Request from CCMA RE: Fat, Oil & Grease accumulation at CCMA's Wet well

Solicitor Nanovic said Mahoning Twp. has an ordinance that say if you have a commercial kitchen you must have a grease trap installed and have it cleaned every so often and document the cleaning and inspections done by someone.

The solicitor told council to have someone contact Mahoning to get a copy of their.

Officials Reports

President of Council

Nothing.

Borough Manager

Report provided.

Borough Engineer – Active Projects and Task Report

Absent.

Solicitor

He requested an executive session.

Treasurer

Approval of additional bills.

Mayor

He went over items from before the Chief left. The solicitor will look into some of them and report back.

There was some trouble from an event in the lower park with garbage scattered around after the event and not being disposed of by the group hosting the event.

Council suggested adding a fee to the property application if they do not dispose of it themselves. Autumn said she and Nicole had been working on revamping that application and if it is still on her laptop she can provide it to the new manager and they can work on it together. Brenda said she had spoken to Kim about updating this form already as Nicole had wanted them all to look similar to each other. A template was provided to Kim but Brenda wasn't sure if Kim started working on it yet. She will discuss it with Kim tomorrow.

The Mayor said they have been having a problem with some council members the police officers directly for double parked cars, etc. Please call Com Center, not his people as they may be on another call and can't respond.

Police

Nothing.

Fire Chief

Absent.

Light & Power Superintendent

Lonny said he received his new Ford lift. He received a call from Estes Motor Freight. A shipment from Hitachi will be arriving tomorrow. Lonny is not sure what it will be. He thinks it will be insulators but he doesn't know what he will do with them as it is on Virginia Transformer. He has not heard from Hitachi or Virginia Transformer so he is at a loss as to why something is being shipped directly to him.

Lonny thanked the Mayor for doing the Public Power Week Proclamation. Public Power Week will be October 1-7, 2023 with the annual open house on October 4th from 11 a.m. to 1 p.m. There will be food, soda and giveaways for all.

Public Works Supervisor

Kris said from what he hears there is to be an event on 1st Street this weekend involving road closures. He was hoping to ask the Mainstreet manager, who is not present tonight, about what is needed from his department and if the permits to close the streets have been obtained and what street she is requesting to be closed.

Dane said he spoke to Kim about this today when he heard about it. Kim had paperwork and he will get it to Kris tomorrow. The businesses on 1st Street that were present at the meeting said they were only told a couple weeks ago about the event but it is their understanding that it will be set up like the Hometown Vintage Christmas was. It is being put on by LDP and the business owners were told not to step on toes so they only know what they have been told.

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 has been continuing to meet with the downtown businesses. Autumn said she feels there is a divide between the Downtown manager and the businesses and this is just another example of that and why they have chosen to form their own group. She thinks we should bring Bambi in to discuss it with her to find out why this is happening. Several council people agreed due to it being her job and that fact we are paying part of her salary. You can't revitalize the town if you can't work with the businesses.

The owner of Within Harmony said some of the conflict is that when there are events at the park competitors are invited taking away business from his store. He paid his dues to the Chamber to become a member and thought when the Chamber tent was in the park they would be promoting the businesses in town but was told by the Downtown manager that it is not the Chamber's job to promote his business. It is disheartening to hear that. He will not join again next year.

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 said they are having a mum fundraiser but gave no further details.

Parks & Recreation Board – Autumn said by the end of September the Trees in the Park letters will be going out soon. She also believes that the fountain lights are done and will be delivered shortly. The Parks & Rec Board is always looking for new members and you do not have to live in the borough to join.

Canal Commission – Ryan discussed the letter in council packets about the Commission needing members and the lack of attendance at their meetings.

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 \$43,272.78

Councilors Rehrig/Saunders 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/Worthy made the motions to go into Executive Session at 8:50pm 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 10:05pm and all were in favor with no questions or objections.

Motion to accept resignation from Employee #302 and discussion of next steps

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

Motion to Amend the Agenda

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

Motion to declare Robert DeFuso eligible for the disability pension based upon the report from Dr. Mouthie and authorize the borough manager to process the disability retirement paperwork upon receipt of resignation from Robert DeFuso

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

Motion to appoint Bruce Broyles as Officer in Charge

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

Motion to Adjourn the Meeting

Councilors Saunders/Rehrig made the motions to adjourn the meeting at 10:10pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary