

June 6, 2022

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, June 6, 2022. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Lisa Perry, Autumn Abelovsky, Ryan Saunders, Darryl Arner and Joe Flickinger. Late – Donnie Rehrig.

Officials in attendance were: Interim Borough Manager Kim Rubin, Solicitor James Nanovic, Mayor Clark Ritter, Officer in Charge Gabe Szozda, Borough Engineer Bruce Steigerwalt, L&P Superintendent Lonny Armbruster and Public Works Supervisor Kris Kunkle. Absent: Borough Secretary Brenda Kreitz, Fire Chief Patrick Mriss, and Recreation Director Tom Evans.

Pledge of Allegiance

MS4 Public Hearing – Rose Chapelle, Carbon Engineering

Ms. Chapelle said Nicole hired her company to manage the MS4 Permit for the borough. There were some deficiencies DEP had found in the last couple of years. Ms. Chapelle has been working on these deficiencies to get the borough caught up and meet all the requirements. The biggest thing is the mapping of the stormwater system. It will be especially useful to Public Works. Everything they are doing will be available in the report we prepare for DEP.

Guest Speaker: Bambi Elasser – Lehighon Main Street Manager – Updates on the Lehighon Downtown Partnership

Bambi said the 2nd Saturday will be held June 11th themed “What’s Poppin in Lehighon” that day. LDP is happy with how the 2nd Saturday events are progressing. The community is really doing their part with donating the plastic for the benches.

There are a lot of people coming into the Chamber wanting to open businesses in the downtown. One should be ready in July to open so that is exciting.

All the flower barrels have been adopted and the judging for that will be in the near future. The caboose project is pretty much ready for the railroad to finish the project. A Façade grant is being worked on but it will require multiple businesses to participate in the grant.

Councilor Perry requested Bambi let council know sooner when there is a grand opening so they can try to attend.

HEARING OF PERSONS PRESENT

John Bird of 147 Alum Street wanted council to take a moment to remember all those lost in battle being it is Flag Day. Mr. Bird also wanted to inquire about the sale of the Summit Avenue property. He wanted to know if the bidders filled out a letter of intent and council did not know. He then asked council to use good sound judgement for the future when the property is sold. Mr. Bird would advise against a large apartment complex.

APPROVAL OF MINUTES

Special Meeting of April 26 and June 1 and Regular Meeting of May 2, 2022

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

UNFINISHED BUSINESS

Continued discussion on Crossing Guard issue and how we can move forward

Councilor Abelovsky said she thought it ended up to have a meeting with the school district as to what we will do next year. Autumn does not recall a decision being made or a vote on anything but in the newspaper articles it was mentioned that the school district was upset because they felt we voted to discontinue services. The school district was upset that this was discussed at a meeting prior to contacting them from what she read in these articles. Autumn wasn't sure if a meeting was discussed with the school district. She knows a contract was looked for by both the school district and borough but not found. Autumn feels a meeting has to happen.

Autumn said the reason this was brought up was that the borough does not have the staffing for the designated crossings and felt the school district had a bigger pool of substitutes to possibly fill the vacancies. It was not her intention to put it all on the school district. She only wanted the school district to fill the positions. She is still ok with the 60%-40% split.

Councilor Saunders agreed with Autumn's position on this. Autumn and Ryan agreed to meet with the school district at their next workshop meeting.

Continued discussion on possible partnership with Borough Parks & Recreation Board and the Halloween Committee P & R re: Partnering with Halloween Parade Committee

Councilor Abelovsky said she has spoken to Julie Harris regarding the Parade Committee's bank account. She gave Julie 2 options – keep the bank account but have the treasurer control it or close the current account and open a new one separate from the borough. Autumn found out today they will be closing the current account and opening a new account without using the borough's federal ID number.

Motion to adopt Ordinance 2022-663 regarding Bulk Refuse/Dumpster Permits

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

NEW BUSINESS

Motion to approve Resolution R21-2022 establishing the current base purchased power cost

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

Motion to approve Resolution R22-2022 Record Destruction List

Councilors Arner/Rehrig made the motions to approve the list and all were in favor. Under the question Councilor Flickinger asked to have Box #5 gone through the by the fire

chief to see if other historical documents are in the box prior to destruction and there were no objections. Motion carried.

Discussion on project submission for the 2022 CDBG Pre-Application

Kim said the summary included in council packets was prepared by Nicole prior to her departure. She asked Bruce if he had anything to add. Bruce said he was under the impression that CDBG funds were going to continue to be used for blight remediation on the bypass and 1st Street. We had other pre-applications that were going to address handicapped ramps at different areas in the borough. The last time Bruce had talked to Nicole it seemed we were shifting gears and putting that money into blight remediation.

Councilor Flickinger thought we couldn't use more than 3 years' worth of money for that particular project. Looking at the spreadsheet it is showing 2019, 2020 and 2021 being reallocated for 135-139 North 1st Street. If we continue with blight remediation for the 2022 funds, would we need to choose another property on the list. Bruce and the solicitor didn't think that was the case. Bruce said you need to keep an eye on when the different funds begin to expire so you use it prior to expiration and have matching funds to cover parts of the project.

Councilor Abelovsky asked if we will be penalized because the pre-application submission is past due. The deadline was April 28, 2022. The solicitor didn't believe so.

Councilors Flickinger/Rehrig made the motions to continue with the demolition of 135-139 North 1st Street and all were in favor with no questions or objections.

Request to close Borough Offices December 23 and 30, 2022 for the holidays

Councilors Arner/Flickinger made the motions to close the offices using vacation time and all were in favor with no questions or objections.

Approval of Attorney Frycklund's resignation from the Zoning Hearing Board

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

Consideration on request from Attorney Schnell to fill the solicitor position on the Zoning Hearing Board

Mr. Zimmerman, Chairman of the Zoning Hearing Board was present to address this agenda item. He stated the ZHB chooses their solicitor and Borough Council sets the fee paid to the solicitor and Solicitor Nanovic agreed.

Councilors Saunders/Flickinger made the motions to set the solicitor fee at \$95/hr. and have the appointment brought back to the next meeting and all were in favor with no questions or objections.

Consideration on petition submitted by residents to consider Officer Bender for the position of Police Chief

Councilor Perry said it is a little late as the position has been filled.

Request by Tom Evans to hire Dylan Moyer as an additional lifeguard for Baer Memorial Pool pending completion of pre-employment process

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

Motion to approve the bid from Virginia Transformers in the amount of \$926,846

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

Councilor Perry made known to council that this will stretch our capital reserve funds to the max. If council finances part of this item some money and stay in the capital reserve without depleting the find. Council wanted to keep that option open.

Officials Reports

President of Council

Nothing.

Interim Borough Manager

Nothing except executive session items. Councilor Abelovsky went through the borough manager's final report and outlined any items that needed to be resolved, acted on or discussed and have those added to the next agenda.

Councilor Abelovsky/Rehrig made the motions to bring back to the next meeting outstanding items as set forth in the borough manager's final report and all were in favor with no questions or objections. Autumn to forward what she highlighted to Kim.

Borough Engineer

Nothing.

Solicitor

Nothing except executive session items.

Treasurer

Approval of additional bills totaling \$117,628.92

Mayor

Nothing except executive session items.

Police

Nothing.

Fire Chief

Absent.

Light & Power Superintendent

Lonny said the cost of the transformer climbed about \$300,000 in one year. He wanted to thank Kim and Utility Engineer's for their help as the bidding package was not as clean as last time. Virginia Transformer bid a lower number but has an escalation clause built into the final cost.

Public Works Supervisor

Kris was able to replace a grate at the canal at Lock #7. PennDOT provided decking to them at no cost to do the project. They patched 2 big pot holes in Queen Alley above Mahoning Alley.

Recreation Director

Absent.

Committee Reports –

Finance and Administration – Lisa Perry, Chair; Joe Flickinger, Co-Chair – nothing.

Economic Development, Buildings and Codes – Autumn Abelovsky, Chair; Darryl Arner, Co-Chair – Autumn said she attended the Within Harmony ribbon cutting. The Zoning Hearing Board approved the request for the Special Exception for 525 Iron Street. Property Maintenance has been a focus. Slight increase in zoning applications.

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

Light & Power Committee – Joe Flickinger, 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 – Joe – Nothing.

Parks & Recreation Board – Autumn said they will be bringing back their “Concerts in the Park” for 2022 in conjunction with the Lehighton Band.

Canal Commission – Ryan – nothing.

Acceptance of Officials Reports

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

Motion to go into Executive Session for Police and Administration

Councilors Rehrig/Arner made the motions to go into executive session at 7:58pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Flickinger/Saunders made the motions to go back into regular session at 8:50pm and all were in favor with no questions or objections.

Motion to amend the agenda

Councilors Abelovsky/Flickinger made the motions to add the police contract to the agenda and all were in favor with no questions or objections.

Motion to approve the police contract

Councilor Perry/Abelovsky made the motions to approve the police contract and all were in favor with no questions or objections.

Action on Items from Executive Session

Motion to hire Alex Hummel and Jason Pryce as part-time police officers pending pre-employment process

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

Motion to approve part-time officer pay scale

No motion required. Approved at last meeting.

Follow up on the sale of the Summit Avenue Parcel

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

Consideration on PenCor Parking Lot Lease Agreement

No action taken.

Unfair Labor Practice Resolution

No action taken. Goes away with approval of COP CBA.

Update on Police Officer DeFuso

No action taken. Cathy must follow up with worker's compensation.

Motion to approve proposal for interim assistance by Nicole Beckett per the recommendation of Finance and Administration Committee

Councilors Perry/Flickinger made the motions to approve the proposal and all were not in favor. Roll call: No – Councilor Saunders; Yes – Councilors Abelovsky, Arner, Rehrig, Perry, Flickinger and Hunsicker. Motion carried.

Councilors Saunders/Arner made the motions to accept Sgt. Prebosnyak Early retirement effective July 14th 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 8:47pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary