

July 11, 2022

The regular meeting of Lehighon Borough Council was held in the municipal building on Monday, July 11, 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 Donnie Rehrig. Absent – Joe Flickinger.

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

Guest Speaker: Tarone Blocker – Presentation of donation to Lehighon Fire Department and Lehighon Memorial Library

Mr. Blocker, president and owner of Blocker's Collision said they are celebrating their 75th anniversary this year. He was present to give a \$1,000 check to the Lehighon Fire Department and a \$500 donation to the Lehighon Library. Both recipients were very grateful for the donations.

HEARING OF PERSONS PRESENT

Clarence Muffley of 227 South 4th Street said they have a bad egg in their neighborhood. He has spoken to the Mayor and Mr. Muffley needs to know what to do next with this fellow. This problem has been going on for 14 years and he doesn't know what else to do. The mayor suggested they join the neighborhood watch and they plan to do that. The mayor said his department is aware of the problem and it is being handled. Mr. Muffley said the person is up for zoning violations, and he spoke to Tyler a week ago but nothing has been done.

Dean Fisher of 235 South 4th Street agreed that the last couple years have been the worst. They have suffered theft from their property and a vehicle was vandalized because of it. They are frustrated. They are awakened in the late hours from this neighbor's dealings and will become involved with the neighborhood watch.

Gabe said he will be in contact with these residents.

APPROVAL OF MINUTES

Regular Meeting of June 6, 2022

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

UNFINISHED BUSINESS

Continued discussion on 2022 CDBG Pre-Application

Kim said she and Bruce met with Jennifer from the County Planning Office and she was confused about the demolition project on North 1st Street. Basically, Kim said a new project for 2022 is needed as the demolition used 2019–2021 funds. Kim said Jennifer suggested playground equipment but Kim needs to give Jennifer a project by tomorrow. Bruce said at

the end of last year when we completed the storm drains and handicapped ramps there was some money left over that had to be used right away as it was from the 2018 CDBG and that was used to purchase of some recreation equipment. Different options were discussed.

Councilors Perry/Rehrig made the motions to replace the roof or do interior handicap compliant renovations to the Rec Center depending of which is allowable and all were in favor with no questions or objections.

NEW BUSINESS

Ratification of Executive Sessions held June 17th & 22nd for interviews

Councilors Perry/Arner made the motions to ratify and all were in favor with no questions or objections.

Motion to approve Resolution R23–2022 establishing the current base purchased power cost for the PPAC

Councilors Perry/Rehrig made the motions to approve the resolution and all were in favor.

Approval to move forward with the adoption process for the draft Zoning Ordinance and SALDO

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

Motion to appoint Matthew Schnell, Esq. as Zoning Hearing Board solicitor

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

Motion to approve Resolution R24–2022 to designate Kim Rubin, Interim Borough Manager and Grant Hunsicker, Council President as officials to execute all documents between the Borough of Lehigh and the Commonwealth Financing Authority for the \$93,000 Grant Award

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

Motion to approve Lease Agreement for the Caboose Project pending final changes by Attorney Nanovic

The Solicitor said Kathy Henderson requested some changes. Jim will make them all except one which Kathy was fine with and then it will be ready for signatures.

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

Discussion on Paving Project by LASD and Lehigh Borough's portion of Indian Lane from 9th Street to Grant Alley

Councilor Abelovsky said this was on the school boards last agenda. Autumn was asked by the school board to bring this item back to council. The school is paving Indian Lane from Grant alley to Mahoning Street. Grant Alley to 9th Street belongs to the borough and they are asking for us to go in with them to do that or do it ourselves. Kris said he estimates it costing the borough about \$8,700 but is not sure what is in the budget.

Councilor Saunders feels if there is any way to do it, we should.

Bruce said to use Liquid Fuels money, John Davis must approve the project first. He's going to want to see the specifications, bid documents which must meet PennDOT requirements so depending on how the school bid it and what their specs say and if they are different than PennDOT's then Mr. Davis will not approve it. The solicitor said for \$8,700 it is not worth going through Liquid Fuels.

Councilor Perry asked Kris if he used what was in the budget and Kris said he started today. Councilor Rehrig asked if the \$8,700 is for milling and materials or just materials. Kris said just materials. Donnie asked how long it would take to mill it and Kris said about a day and a half plus another day to pave it.

Councilor Abelovsky asked if we have the money for this because if we don't have the money this project is a moot point. Donnie said we have to see where we can move money to because we keep planning projects then having to take money for them to do something else and things don't get done. We are not making any progress.

Councilors Perry requested this item be tabled until a discussion with the Treasurer is held. Councilor Abelovsky will tell LASD the Borough will not be going in with LASD.

Discussion on I&I testing and Enforcement

Kris asked if we do start this smoke testing will it be worth our time if there is no enforcement. He gave the example of testing a street and finding there is infiltration what gets done about it? Do we make the homeowners fix it and if so, how? The solicitor said there are ordinances to enforce it if it is found but will we enforce it? Borough Council would need to enforce it. Councilors Perry and Saunders feel council should enforce it.

Council directed Kris to proceed with the testing and enforcement.

Motion to advertise for bids for Diesel and Gasoline Contracts

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

Motion to accept the high bid of \$4,409 for the sale of the 2008 Ford F250 Truck

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

Motion to approve Jim Thorpe invoice in the amount of \$25,543 for the Blight Remediation Grant Project's additional expenses for the Demolition of 209 North 1st Street

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

Discussion on Keystone Consulting Engineers Proposal in the amount of \$28,000 to provide specs for the Demolition Project of 135-139 North 1st Street

Councilor Rehrig asked if this was something we have to do right now and was told yes by Councilor Perry because the CDBG fund need to be used by 2023. Donnie asked if we will be throwing the money away if done and Councilor Saunders felt we shouldn't do it at this time because we don't have the money. Bruce said he believes the County said we have to have the specs prepared and out to bid asap so that if the bids come in high, we can reject them. Also, until the bids come in there is no way to know what to budget for. Bruce thought he was told there was money in the budget to for the engineering.

Councilors Arner/Rehrig made the motions to approve as long as the money is budgeted and all were in favor with no questions or objections.

Motion to advertise Lehighon Water Authority Ordinance in reference to separating shared water lines

Councilors Saunders/Perry made the motions to advertise the ordinance. Under the question Councilor Abelovsky said it had something to do with separating lines upon the sale of the property. Solicitor Nanovic said initially the Water Authority requested having separate lines at the sale of a property. He said you really can't do it that way but this ordinance will mandate separate water lines and can be enforced upon the sale of the property. All were in favor with no objections.

Motion to approve the hire of Tyla Block as an additional lifeguard

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

Officials Reports

President of Council

Nothing.

Interim Borough Manager

Nothing.

Borough Engineer

Bruce commented on the Water Authority ordinance stating the Planning Commission has been using the policy and he thinks it will be in the new SALDO when it is adopted that when ever someone separates a duplex through a subdivision the water and sewer lines must be separated.

Solicitor

Nothing.

Treasurer

Approval of additional bills totaling \$5,503.71

Mayor

Discussion on Police Department Building

The mayor said he has been noticing things at the station and asked Tim Dow to look the building over. Tim's report has been included in the agenda packets.

There are a number of issues and the biggest thing is probably the fire escape that is falling down. You can see in the picture that the north side of the building is being held up by the wrought iron railing. There are some fire code issues and the mayor felt it important enough to make council aware of them so they can be corrected. Grant told the mayor there is no money to fix anything and some issues could possibly be fixed in-house. Council discussed other ways to correct the problem with the fire escape but couldn't come up with any. Councilor Perry said since there is no money to do any of the listed repairs needed this year and suggested the mayor asked to have them budgeted for in 2023.

Bruce suggested the mayor talk to Tim to see if a fire escape is necessary or not due to fewer people using the upstairs. The fire escape was needed because the Rec Center was on

the second floor and dances were held there. That is no longer the case. The mayor was asked to bring this item back to next month's meeting.

Police

Gabe has items for executive session.

Fire Chief

Absent.

Councilor Rehrig said the ladder truck is in service as of last month and believes the old one is going out on Municibid soon. The firefighters are getting signed off on training on the new equipment.

Light & Power Superintendent

Lonny asked where we are at with the land purchase. Bruce said we are working on the subdivision. Lonny said he has a transformer coming in April of 2023. Bruce said it should be complete in September. Lonny said a roadway must be put in to get cranes and things in for the next transformer. Lonny asked if he must work with Franklin Township for permits for this and Bruce said if you disturb more than 5,000 sq. ft. you will need an ENS plan permit from the Conservation District. Lonny said it will stay under that then. Bruce said it won't be exorbitant if it needs to be done. The transformer has been ordered and Lonny just wants to keep things moving along.

Public Works Supervisor

Nothing.

Councilor Saunders said it was brought to his attention the last few weeks with the Farmer's Market going on that there are several potholes in the park and a vendor has fallen because of one. There are about 4-5 of them. Kris said if he can be shown where they are at, he will fill them.

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 – nothing.

Police, Fire and Safety – Donnie Rehrig, Chair; Lisa Perry, Co-Chair – Donnie said they have had a lot of positive feedback on the police presence during the fireworks and he wanted everyone to be aware of the good things being said about our police department. Ryan said he spoke with Bambi and Kathy from the Downtown Partnership and they were being told the same things.

Light & Power Committee – Joe Flickinger, Chair; Ryan Saunders, Co-Chair – nothing. Lisa wanted to thank Lonny and his department for going out on the hottest holiday weekend and restoring power in under 3 hours.

Sewer Committee – Darryl Arner, Chair; Autumn Abelovsky, Co-Chair – nothing.

Streets, Public Works & Recreation – Ryan Saunders, Chair; Donnie Rehrig, Co-Chair – nothing. Autumn said she and Ryan attended the school district workshop and

discussed the crossing guard issue with them. The school district is interested in working something out and they will meet with them again.

Library Board – Joe – Nothing.

Autumn said the board did reach out to her because Joe has not attended a meeting yet. They are concerned about being represented. Grant wondered if Joe wanted to resign and Ryan suggested someone reach out to Joe to see what his involvement will be and then go from there.

Parks & Recreation Board – Autumn – nothing.

Canal Commission – Ryan – 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

Councilors Perry/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 Personnel, Real Estate, Police and Administration

Councilors Perry/Ryan made the motions to go into executive session at 8:35pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Rehrig/Perry made the motions to go back into regular session at 9:10pm and all were in favor with no questions or objections.

Action on Items from Executive Session

Motion to high bid on sale of the Summit Avenue Parcel

Councilors Saunders/Perry made the motions to accept the high bid of \$35,000 and all were in favor with no questions or objections.

Motion to appoint Joseph Sparich as the Police Chief

Councilors Saunders/Perry made the motions to appoint and all were not in favor. Roll call: Autumn abstained. Yes – Councilors Rehrig, Perry and Hunsicker; No – Councilors Saunders and Arner. Motion carried.

Motion to Adjourn the Meeting

Councilors Saunders/Abelovsky made the motions to adjourn the meeting at 9:12pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary