

March 1, 2021

A regular meeting of Lehighon Borough Council was held in the municipal building on Monday, March 1, 2021. The meeting was called to order at 7 PM by President Grant Hunsicker. Members in attendance were: Councilors Lisa Perry, Donnie Rehrig, Ryan Saunders and Joe Flickinger. Absent: Councilor Darryl Arner. Late: Councilor Autumn Abelovsky

Officials in attendance were: Borough Manager Nicole Beckett, Borough Secretary Brenda Kreitz, Police Chief Brian Biechy, Mayor Clark Ritter and Solicitor James Nanovic.

Pledge of Allegiance

Guest Speaker: Karla Gadecki – Objection to Removal of Pedestrian Crosswalk at Bridge and Bankway

Ms. Gadecki of 313 South 1st Street addressed council with her objections to remove the crosswalk even though it is not fully functional. She feels the suggested alternative at Sgt. Stanley Hoffman Boulevard does not cross Bankway so it is not a fully functional crosswalk. She understands it was installed by PennDOT and is a legal crosswalk at an intersection and because of that even if it is removed simply by the fact that it is at an intersection PA law allows for it to be used as a legal crosswalk and people will use it as such out of habit. She reminded council she presented them with funding options to pay for the signage if that was an issue. If funding is an issue or if the grants are denied she is willing with permission, of course, to fundraise and partner with the local businesses to raise funds for the signage.

HEARING OF PERSONS PRESENT

Deb McGowan – RE: Traffic/Tractor-trailers being diverted over Ashtown Bridge due to Route 443 Project

Ms. McGowan of 212 Ashtown Drive wanted to know if there was a weight limit on the bridge because she didn't see any signs stating a weight limit. She is asking because there are tractor trailers going over the bridge due to the PennDOT project on Route 443.

Ms. McGowan said she knows the borough did work on the bridge and does not want to see it damaged. The traffic in general has increased due to the project but the truck traffic is being directed over the bridge by GPS and emergency personnel. The bridge is not that wide to accommodate all the traffic going over it or 2 vehicles on the bridge at the same time. Since Wendy's opened there have been several accidents causing traffic being diverted over the Ashtown Bridge. She has addressed her concerns to Mahoning Township regarding the increased traffic and speeding on Ashtown Drive and they will work on that aspect.

Councilor Saunders suggested having an engineering study done to see if there should be a weight limit. Councilor Rehrig asked if any weight restrictions were mentioned when the bridge was redone. Nicole said she will look into it and get a cost for the study and bring it back to council.

Councilor Flickinger said he will contact the fire police to ask them to reroute larger trucks out Mahoning Street during emergency situations.

APPROVAL OF MINUTES

Regular Meeting of February 8, 2021

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

NEW BUSINESS

Consideration on the removal of the crosswalk at Bankway and Bridge Street

Nicole wanted to go over what has been received at this point for the record. Nicole said Council was provided an email from Karla dated February 28, an email from Sarah Hall 207 Park Street, Weissport, an email from Mark Hoffman 465 North 4th Street, and Autumn's comments from a February 18th email. Nicole also provided council with traffic engineering service proposal from Bob Gonzales who completed our Waterfront Traffic Study.

Councilor Saunders asked for Nicole to read Autumn's comments. (comments are attached to the minutes)

Councilor Flickinger said he will stick to his remarks from last month and he applauded Ms. Gadecki for her efforts.

Ms. Gadecki said her contact at PennDOT, Charles Richards, told her that the reason you are allowed to remove the crosswalk isn't because it is unsafe; it's just the rule for the entire state. He did point out that there have been no pedestrian accidents at this crosswalk in the last 5 years but because it is at a valid intersection even if it's removed people will still cross there out of habit.

Councilor Flickinger said in his opinion, when PennDOT puts in these crosswalks they should follow their own suggestions and put the signage in. Ms. Gadecki said she understands the law from what Charles has told her is because that is the towns responsibility.

Councilor Rehrig agreed with Autumn's comments. Councilors Flickinger/Rehrig made the motions to remove the crosswalk. Councilor Saunders asked if we can install temporary signs at the Walker crosswalk until the safer crosswalk is completed at the start of Sgt. Stanley Hoffman Boulevard. The solicitor asked when the Walker crosswalk will be removed. Nicole said when the engineering is completed. All were in favor. Motion carried.

Motion to obtain proposals for traffic engineering for the potential installation of a mid-block crossing at 1st Street/Bankway/Sgt. Stanley Hoffman Boulevard

Nicole said the proposal is an hourly rate; not for a project. Does council wish to have only that intersection looked at or a continuation of the Waterfront Study? Councilors Flickinger/Saunders said as part of the study. Councilor Rehrig asked if that made more sense. Nicole said we would have the best recommendations at that point. The engineer did not agree with what was put out by Mr. Richards in how it was worded for the midblock crossing. She will also have him give a full proposal for a continuation of the Waterfront Study so we know what we are getting into.

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

Motion to approve the borough's Emergency Management Plan

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

Motion to accept resignation of Edward Powell as Health Inspector

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

Consideration on the Barry Isett and Associates Proposal for Health Inspection Services

Nicole said the structure is a bit different than what it had been in the past. This is an hourly rate where before it was \$50 per inspection. It will still accommodate the fee schedule as it exists. Nicole said she did contact someone else but did not receive anything from them to date. The person from Barry Isett will be trained by the Department of Agriculture for compliance. The Department of Ag could also do the inspections at a higher cost.

Councilor Perry was concerned about having other violations while doing the health inspection because of who is doing the inspection. Councilor Flickinger said he doesn't think it's any different from a city municipality that has everything inhouse where if they see something, they refer it to the other parts of their code department whether it is the fire side or structural side of things. Councilor Saunders said he thinks it would be wise to hire Barry Isett because we do not have a good track record with health inspectors currently. Nicole said we would be looking for compliance so even if something else was found we would be working with them to comply anyway. Our goal is to comply not to cite or fine businesses.

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

Motion to approve the Jim Thorpe Street Sweeper Services Agreement

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

Motion to adopt Ordinance 660 amending Chapter 118 regarding Garbage, Rubbish and Refuse

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

Motion to adopt Resolution R5-2021 authorizing the sale of a vacant parcel on Lehigh Drive

Councilors Perry/Saunders made the motions to adopt the resolution pending completion of subdivision and all were in favor with no questions or objections.

Discussion and consideration on the purchase of a new police server (unbudgeted request)

Chief Biechy said there is a drive that failed in their sever. It was budgeted before then taken out last year thinking we could still get more time out of it. We were wrong. According to our IT professional if the next drive fails completely, we will be down and out any operations inside our department plus the workload to get it back up and running. It will be much less to come in and transfer everything over to the new server in a couple of days.

He and Nicole looked at the budget and found other line items to pull from and those items will be tight the rest of the year. The IT person it would be at least 5 days if the system totally fails. He is willing to come in and be paid for 1 day to do this.

Councilors Saunders/Abelovsky made the motions to approve the request provided other budgeted line items were used to pay for the server and all were in favor with no questions or objections.

Discussion and consideration on the installation of electric door lock/release at the Police Station Squad Room (unbudgeted request)

Councilor Flickinger asked Chief Biechy if this item could be held off on until next year. Chief Biechy was not aware this was coming across but apparently Karen emailed Nicole to voice her concerns. We have been up there 10 years. Things are changing but we have never had problems in the past. All he can say about this particular incident is that there were 2-3 guys in the office at the time. Her door going from the patrol room was closed but not locked.

Councilor Saunders asked if there was an issue they need to be made aware of that warrants this request. Brian said he can't speak for Karen and on how comfortable she feels in the office anymore. They guys are not the ones who came to him and said we had this issue. Karen was watching her video monitor in her office and felt it was an issue.

Brian said if Ryan, as the chair, wants to come with the mayor and watch the video he can and see if he feels its warranted for this year. Autumn asked if in the 10 years of being there the door was ever breached and was told no.

Councilors Saunders/Perry made the motions to table this item and all were in favor with no questions or objections.

Discussion on Division Alley Reconstruction

Nicole provided council with a memo concerning the alley and its issues. Money for this must come from the General Fund only. We can not use Liquid Fuels. If council does not wish to proceed with the reconstruction, we can forgo maintaining this alley in winter months.

Councilor Flickinger said he was approached by a resident on Carbon Street asking when this alley would be looked at. Joe then went to Nicole to have this brought back up to be looked at knowing it will have to be budgeted for at some point. Joe is concerned that if there is an emergency in the rear of any of those structures it will be difficult to access.

Councilor Rehrig said it needs to be looked at and have something done to repair it at some point. It is an alley in the borough and the residents have a right to have access to it. It can't be done immediately but it can be looked at so we can plan accordingly in his opinion.

Councilor Saunders said we should have the engineering study done. Autumn said we have a list of projects and goals that we get yearly. Will this one take precedents over things on the list since 2014 that still hasn't been done? We have been talking about the road behind the hospital. That has been on hold for how long. It just always seems like something else happens and then everything else just sits and waits. She would like to see things get done in some type of order.

Councilor Rehrig asked if an engineering study was done how long will the study be good for. Nicole said it would not be a study as with a project so it should last in definitely. Nicole will request a cost estimate and scope of work from the Borough Engineer.

Consideration on the approval of the proposal for Engineering Phase 2 and 3 for proposed Public Works Facility

Nicole said we have the funds budgeted for the engineering if council is interested in moving forward with the project.

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

Unfinished Business

None.

Officials Reports

Borough Manager

Nicole said the Order for 135/139 North 1st Street. The building owner is required to submit building permit applications within 60 days. If they do not, we have the right to demolish.

There will be a Spring window decorating contest and the Main Street Steering Committee would like to know if council would be interested in painting a window. Let Nicole know if interested.

Nicole also had a request from Kuharchik Construction for the 443 project to store materials similar to what H&K requested. They are asking to use part of Baer Memorial.

Councilor Perry asked for some kind of liability agreement so we are not held liable.

Councilors Rehrig/Flickinger/Saunders were concerned about where they would be storing their materials as the fire department uses the requested area and the booster club parks there for practice and games and that makes it difficult without added equipment and material put down there. Councilor Rehrig suggested having the company meet with Patrick and Hogan to see if there will be enough room for their equipment and the fire department to hold practice along with football patrons. Nicole will go back to Kuharchik to see if any alternative sites will work for them.

The land acquisition at the substation in Franklin Township has been started for the transformer project. Nicole has also started to gather the data for the electric rate study. She will review the rates once completed and have Utility Engineers make the recommendation.

Borough Engineer

Nothing.

Police

The new officer started today. He has some experience except for knowing the area.

Mayor

He would like to have council consider a recommendation by Brandon Bell. Mr. Bell would like to make Carbon County a 2nd Amendment Sanctuary. He wants to have resolutions passed by the boroughs and townships to make this happen. The Mayor is in favor of a resolution being adopted at our next meeting. The solicitor said he has a copy of the resolutions Bowmanstown and Palmerton have adopted and will forward them to Nicole for distribution. Nicole told the Mayor that Brandon was here last month and addressed council with his request.

Fire Chief

Nothing.

President of Council

Nothing.

Solicitor

Nothing.

Treasurer

Additional bills totaling \$30,754.69.

Light & Power Superintendent

Nothing.

Public Works Supervisor

Nothing.

Recreation Director

Nothing.

Committee Reports

Finance and Administration – Lisa Perry, Chair; Joe Flickinger, Co-Chair – Lisa had nothing but Joe requested the committee meet with Nicole to go over the first quarter numbers and all agreed.

Economic Development, Buildings and Codes – Joe Flickinger, Chair; Donnie Rehrig, Co-Chair – Joe said he was notified that 2 individuals will be taking the Fire Inspector 3 Pro-Board Certification courses at the end of April. Nicole said Economic Development will be meeting in March with the Chamber to discuss the option of partnering with the Chamber for staffing for economic development.

Police, Fire and Safety – Ryan Saunders, Chair; Autumn Abelovsky, Co-Chair – nothing.

Light & Power Committee – Autumn Abelovsky, Chair; Lisa Perry, Co-Chair – nothing.

Sewer Committee – Donnie Rehrig, Chair; Darryl Arner, Co-Chair – nothing.

Streets, Public Works & Recreation – Darryl Arner, Chair; Ryan Saunders, Co-Chair –absent.

Library Board – nothing.

Parks & Recreation Board – Autumn said the board has discussed updating the outdoor sound system so it can be heard throughout both parks. Also, cameras have been put in some parks but not the parks at borough hall. They will look into this but wanted council to be aware of their discussion.

School Board – nothing.

Canal Commission – 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/Abelovsky made the motions to approve the accounts payable and additional bills and all were in favor with no questions or objections.

Motion to go into Executive Session for Personnel and Real Estate

Councilors Saunders/Abelovsky made the motions to go into executive session at 8:08pm and all were in favor with no questions or objections.

Motion to go back into Regular Session

Councilors Rehrig/Saunders made the motion to go back in at 8:35pm and all were in favor with no questions or objections.

Action on Items from Executive Session

Councilors Saunders/Rehrig made the motions to authorize the Borough Manager to proceed with the Heart & Lung process for Trevin Green's injury and all were in favor with no questions.

Councilors Flickinger/Saunders made the motions to adopt Resolution R06-2021 adopting the Emergency Management Plan and all were in favor with no questions or objections.

Motion to Adjourn the Meeting

Councilors Saunders/Perry made the motions to adjourn the meeting at 8:37 pm and all were in favor with no questions or objections. Meeting adjourned.

Brenda L. Kreitz
Borough Secretary