

BOROUGH OF LEHIGHTON

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March 3, 2025

RE: Lehigh Borough Council Meeting Minutes – February 3, 2025

CALL TO ORDER – 6:30 PM

Pledge of Allegiance

Invocation

Roll Call

The regular meeting of Lehigh Borough Council was held in the municipal building on Monday February 3, 2025. The meeting was called to order at 6:30 PM by President Grant Hunsicker. Council Members in attendance were: Autumn Abelovsky, John Kreitz, Jordyn Miller, Dave Zimmerman, Rebecca Worthy, and Steve Hawk. Officials in attendance were: Mayor Ryan Saunders, Borough Manager Dane DeWire, Police Chief Troy Abelovsky, Public Works Superintendent Kris Kunkle, Light & Power Superintendent Barry Fisher, Solicitor James Nanovic, Borough Engineer Vanessa Nedrick, and Borough Secretary Jessica Ahner. Officials that were absent: Fire Chief Patrick Mriss, Recreation Director Tom Evans and Junior Council Member Alex Sebelin.

Guest speaker Jesse Roldan of Ramirez Lehigh Properties for 121 South First Street parking was not present at meeting.

HEARING OF PERSONS PRESENT

Mark Hoffman of 465 North 4th Street was present representing the Pool Pals. He said he talked to Recreation Director Evans about this year's and next year's events. He spoke about giving passes to people who cannot afford them and giving back to the community through the Shoenberger Memorial Fund. There are plans on replacing four (2 lady's room/2 men's room) sinks. Family fun night was rained out three times last year, so we are planning to host on July 12, 2025 from 6pm-9pm. Next year, they are planning a celebration for America 250 PA. This event is to include history of Lehigh Sports. They plan on opening the pool on Memorial Day.

APPROVAL OF MINUTES

DeWire addressed that Joe Flickinger said that there were a few things missing from our December 2, 2024 minutes and wanted the record to reflect. Flickinger said he noticed on the *Snow Emergency Routes; North 12th Street was eliminated and he had concerns of the staff and individuals at the hospital. Although, there is no emergency room, there is a facility and still people out there. He strongly recommends that North 12th Street not be taken off the snow emergency route. There were fires there in the past and emergency vehicles are still required to get back there.*

Councilwomen Abelovsky said that she had changes to the December 2, 2024 & January 6, 2025 minutes. She said *she wanted the minutes to reflect her full name or a different way to distinguish the difference between herself and the Chief going forward.* She also said *in January, when the PathStone contract was brought up, she addressed that PathStone would only be responsible for anything broken in the areas they are renting.*

RW/AA motioned to approve the Regular Meeting minutes with dated December 2, 2024 and January 6, 2025 with corrections and all were in favor with no objections. 7-0

DeWire asked Council if they would allow a gentleman to speak before we proceed with the agenda.

John Nemeth, who lives at 236 North 1st Street was walking and heard an elderly woman yelling help at an apartment. John called 911 multiple times and they did not answer. Then he called the comm center and the same thing occurred. He heard the woman yelling more and eventually put himself in harm's way. He wants to know why 911 did not pick up the phone. Chief said he was not on the initial call and that the phone calls went to the Carbon County Communication Center. He can't answer as to how long it took for them to answer the call. This has no bearing on department, so he can't answer his questions. Councilwomen Abelovsky said, unfortunately the 911 system is run by the County and you would have to speak to the County in this situation.

UNFINISHED BUSINESS

DeWire and Tom have been working with the Director at PathStone regarding the rental lease and do not have anything finalized yet. We are going to table the contract until next meeting.

DeWire gave background on the Canal Boat Model. A visit was made to Walnutport Canal Association, LLC (WCA) along the river. Everything was going as planned for the move, but DeWire received a call from WCA saying that they didn't like the wording of agreement. DeWire wanted everyone in the same room before moving forward, so he invited all parties to the meeting tonight. He thinks we are all now in agreement that this is the correct place to house the boat. George Pandich, WCA President, was present. He stated that they feel this is the perfect place to house boat, but need the boat turned over fully to maintain and insure it. Worthy asked if there can be a plaque that the boat is from Leighton. George said absolutely.

Lenny Steigerwalt of LAHA agrees this is the perfect place to house the canal boat and went on to mention the sponsors of the model's materials. He said the boat once was displayed at the Crayola Factory. DeWire said he plans to have the move happen by the end of March.

RW/SH motioned to have the Walnutport Canal Association house the canal boat, hire Northeast Industrial Services to move the canal boat by end of March, and to have amendments made to the agreement drafted by Nanovic. All were in favor with no objections. 7-0

DeWire referenced the letter from the Tax Collector from 2024. He explained that tax collections from other municipalities are all over the place. He and Councilwoman Abelovsky mentioned that tax collectors can only get a raise every 4 years. There was discussion amongst the board. AA/BW motioned to raise the Tax Collector rate to 3.25%, charge \$20 for tax certifications charge, \$10.00 for duplicate bill fees, and pass all other filing fees onto residents. All were in favor with no objections. 7-0

DeWire spoke about First Street Parking. Kreitz spoke about the meters we had in the past and said that we couldn't patrol or keep track of violations in the past. Robbie Furman, a resident, spoke out that he understands how patrolling may not be easy, but it only takes one citation a month, and people will learn. Councilwoman Abelovsky said if we do this, it may clog up the Police Station with calls. It was suggested that we try "no parking" signs on one side of the street. Miller asked if this needs to be in an ordinance. Nanovic said yes, if you're going to cite someone, it would need to be advertised and adopted. In the past, there were complaints from business owners about the meters, so we removed them. Mayor Saunders mentioned the cost of meters today, and how they work. Kunkle asked if he can get rid of the old meters. Mayor said they are worthless. Mayor suggested we move on from the discussion regarding First Street parking.

DeWire said Nedrick provided him adjusted 2025 rates from RVE. The engineering rates are now down by \$5.00 per hour, but all other rates remained the same. Nedrick understood that it was not much of a change in the rates, but RVE can offer another engineer to cut costs; they would work with her to keep her involved. Hawk spoke up that he did not like this. Nedrick said it was just an option. Councilwoman Abelovsky asked which rates we are accepting. DeWire said we are accepting all of the rates on her fee schedule for 2025 that are in the packet. SH/JK motioned to accept 2025 Remington & Vernick Engineering rates and all were in favor with no objections. 7-0

Mayor Saunders explained that the Snow Emergency Routes are still a work in progress and that he needs to have a few more conversations.

NEW BUSINESS

Kreitz spoke about violations to the Sunshine Act and mentioned that there are February minutes from last year that were not put onto the website. DeWire said he did not know this

but there were a lot of things being archived for the new website. Mayor Saunders asked for DeWire's mandate procedure after meetings. DeWire replied, after every meeting, he sends an assigned action list of all things that need to be completed. Flickinger noted that the amended January Agenda wasn't updated within 24 hours after the meeting. Kreitz said that Flickinger texted him that things were not updated. He said it is the Borough Manager's job to make sure this is complete. DeWire said he is not going to argue, but if you have time to check the website, you can call the Borough Office. Autumn Abelovsky asked if there were any classes to take on the Sunshine Act or webinars. Solicitor said he believes that there may be options from PSAB or the Office of Open Records. Flickinger stated there is a review webinar. Councilwoman Abelovsky said she took a webinar regarding abstaining from motions and other rules. Hawk said he thinks it is important to pay attention and work with staff. Worthy agreed, and said it's our job to speak up regardless of whose job it is.

DeWire explained that Bugluc's application for 115 S 4th St & 413 Mahoning went to the Planning Commission in March 2024, where the applicant was told there was not enough parking for apartments. Revised plans then were submitted in October 2024 as a Conditional Use Application, and there were different thoughts on what needed to be done at the meeting. The Planning Commission believed that the applicant needed to re-submit plans. Mr. Bugluc, the applicant, then went to his attorney who believed the application was complete. Our Solicitor received a letter regarding a 60-day lapse and failure to render a determination. The applicant's attorney and the Borough Solicitor agreed it needed to go to Council to avoid the court process. DeWire said Council would need a motion to approve the Conditional Use for multifamily use with approved parking. Solicitor Nanovic then referred to the Zoning letter stating what Mr. Marles said is true, and that Mr. DeWire is correct saying that Council will need to make a motion to approve. Nedrick asked if the plans needed to go to Carbon County Planning Commission before the Council can act on this. Nanovic said no, that she is thinking of Land Development. He said this is a zoning matter. Councilwoman Abelovsky asked about the items that were reviewed by Nedrick. Nanovic said she was looking at it as a Land Development Plan, but this is for zoning. There was some discussion on parking spaces. JK/RW motioned to grant Mr. Bugluc's Conditional Use application, and all were in favor with no objections. 7-0

DeWire spoke about extending APT's contract due to weather. JK/SH motioned to extend Advanced Pipe Technologies – I&I Rehabilitation Contract to March 31, 2025 and all were in favor with no objections. 7-0

DeWire discussed billing write-offs, saying it is something we do every year. He wanted to note that our write offs were less than a tenth of a percent and that is with a new employee. SH/RW motioned to delete inactive accounts and accept write offs from 2023 billing records and all were in favor with no objections. 7-0

SH/AA motioned to approve use of the Trailhead Pavilion on May 31, 2025/Rain date, June 1, 2025, 8am to 3pm for St. Lukes Hospice annual bike ride and all were in favor with no objections. 7-0

RW/SH motioned to approve the annual Commencement Motocade for Lehighon High School Seniors on Monday, June 2, 2025 at 6pm and all were in favor with no objections. 7-0

DZ/RW motioned to approve the Fee Schedule for Calendar Year 2025 and all were in favor and all were in favor with no objections. 7-0

JK/SH motioned to approve Payment Application #2 for Advanced Pipe Technologies in the amount of \$411,552.76 for Lehighon I/I Abatement Project and all were in favor with no objections. 7-0

DeWire spoke about the Food Vendor License Applications and thinks it should be necessary for people selling food out of tents to get a food vendor license. Councilwoman Abelovsky asked about the Fire Company, schools, and other non-profits selling food. She feels they should not have to pay for an application. Mayor spoke about the vendors at the Baseball Field and Baer Memorial. DeWire said he will update the application and bring to next meeting for discussion.

DZ/RW motioned to approve Resolution #R-06-2025 setting the PPAC to \$.07028 per KWH and all were in favor with no objections. 7-0

JK/RW motioned to approve Resolution #R-07-2025 establishing April 2025 as Safe Digging Month and all were in favor with no objections. 7-0

DeWire, Mayor, Chief, and Worthy had a meeting with a radio vendor who put together a proposal for radios we will need when the County switches to digital. The cost is \$730,000, and that is for all of our Police Officers, Firefighters, and vehicles. We do have a third party company ready to write the grant at no cost to the Borough. SH/JM motioned to approve Resolution #R-08-2025 authorizing a 3rd party to write grant for funding for digital radios and all were in favor with no objections. 7-0

JK/RW motioned to approve Resolution #R-09-2025, Electronic Destruction List and all were in favor with no objections. 7-0

RW/SH motioned to adopt Ordinance #2025-677, amending the Tenant Registration Ordinance and all were In favor with no objections. 7-0

DeWire and Nanovic spoke about setting the bond for the administrative employees at 2 Million dollars.

DeWire spoke about an anonymous donation received in the amount of \$50,000 to replace the fence at the 6th & Coal Soccer Fields. The anonymous donor is requesting a name change to the field.

DeWire noted that Forgotten Felines & Fido's sent paperwork regarding partnering with them to possibly spay and neuter stray cats. If approved they would like a cap for what the Borough would cover annually. DeWire will bring this back in a couple months.

DeWire spoke about a Proposed Zoning Ordinance Amendment. He is recommending that we make multi-units a Special Exception, not a Conditional Use. This means that all multi-units will be approved by the Zoning Hearing Board, not the Planning Commission. The second request would be to make “medical clinics and “professional offices” a Conditional Use for zones R1 and R3. This would prevent issues like Bugluc’s, where a non-Land Development Project is subject to an engineering review. Nedrick wanted to make sure there is something that pushes any Land Development to the Engineer. SH/RW motioned to authorize Nanovic to amend the Zoning Ordinance and all were in favor with no objections. 7-0

DeWire read names of Letters of Interest for the Parks and Recreation Board: Kerry Palumbo, Nicholas Catania, Steve Mellifont, Byron Schnell, Rebecca Worthy, Robbie Furman, Dr. Jordyn Miller, and Anthony Feller. DeWire suggested a motion to accept all letters of interest. He asked when the next meeting was and was told February 17, 2025 at 6:30pm. Nanovic said no motion was needed but any special meetings need to be advertised. Nanovic stated that Parks and Recreation needs to bring their recommendations for their 7 member board to the next meeting. DeWire said that he would advertise the meeting.

OFFICIAL’S REPORTS

President of Council – Nothing to report.

Borough Manager – Paper report provided. DeWire announced he would not be attending the next meeting because he has some unexpected travel, and the Mayor has agreed to take his notes. He stated, “You can always reach out to me with questions.”

Borough Engineer – Paper report provided. Nedrick said that they are still working on 1st Street, continuing the I/I work. She spoke to the gentleman handling the PennDot applications last Thursday and that he is working on getting us new plans.

Solicitor – Nothing to Report. I would like to speak during executive session.

Treasurer – Paper Report provided. JK/SH motioned to approve bills in the amount of \$495,960.39, extra bills \$99,655.23, transfer from Light & Power as needed in the amount of \$200,000, and 6 were in favor and Autumn Abelovsky abstained. 6-0-1

Mayor – Mayor has been attending school board meetings in regard to Crossing Guard Pay. The School Superintendent agrees to take over Crossing Guard pay, as long as we continue to administer through our Police Department. He has a meeting with Superintendent scheduled. Mayor will report back to Council on how it goes.

Police Chief – Chief said everyone is aware his office staff is down a full-time employee and that this past month we have been working on replacing them. We also have been working on hiring new Police Officers, and interested applicants can pick-up applications from the secretary at the Borough Office. He then spoke about the grant money that was available last year to fund Police training is no longer available. Chief also suggested removing the fee of \$45 charge

for Police Officer Application. Councilwoman Abelovsky asked whether we can change that since we just adopted the fee schedule. There was discussion about the costs incurred. SH/RW motioned to waive the \$45 fee for Police testing and all were in favor with no objections. 7-0

The question was asked why we don't have to amend the agenda to waive the fees. Nanovic answered we would; however, the fee schedule is already on the agenda.

Fire Chief – Paper Report provided. Fire Chief Not Present.

Light & Power Superintendent – Paper report provided. Fisher said we have a recommendation for the Vice Superintendent position. DeWire said we will discuss salary in executive session. Fisher said five Light & Power employees going to a training session in Lansdale for underground wiring on March 26-27, 2025.

Public Works Superintendent – Paper report provided. Kunkle said he has an estimate on the street sweeper of \$90,000. He does not know how they can give us the estimate when most of the parts are not available. Kunkle said one of the employees can repair the machine for about \$40,000. Kreitz said he would like to take a look at the estimate. There was discussion on the hours and condition of the street sweeper. Kunkle suggested we have new job descriptions written for our Public Works Positions. Kunkle is not sure if the union has to be involved. DeWire said that there were questions in the department about standby time. He agrees it would be a good idea to update the positions. Kunkle said he has himself and Levi signed up for pesticide training and the next thing is to find out how much it would be for chemical training for the pool. DeWire said this is a good idea because Tom Evans is the only one that knows how to run the pool.

Some members of Council feel Evans should be at the meetings. Councilwoman Abelovsky brought up, at the end of 2024, we asked for a report of the expenses and revenues at the pool, but we have not received that. DeWire said he did receive a 100% budget vs actual report from Cathy. DeWire will have a report for the next meeting.

COMMITTEE REPORTS

Finance and Administration – David Zimmerman, Chair; Jordyn Miller. Zimmerman said he met with the Borough Manager regarding his job requirements since the last meeting.

Economic Development, Buildings and Codes – Autumn Abelovsky, Chair; John Kreitz, Co-Chair. Autumn Abelovsky said she had a conversation with Jake Dohmen, Zoning Officer about the zoning reports not being included in our agenda packet. DeWire said it will be included in next month's agenda. She noted on Inspection Reports, there were eighteen properties that were issued permits. She requested that we also receive the properties not passing. DeWire said it is no longer done by our Zoning Officer but still done by Barry Isett.

Police, Fire and Safety – Ryan Saunders, Chair; Rebecca Worthy, Co-Chair. Nothing to Report.

Light & Power Committee – Rebecca Worthy, Chair; Steve Hawk, Co-Chair. Worthy announced the annual NextEra conference is coming up February 9-12, 2025. She said DeWire and her gave a tour of Light & Power to Ms. Bonser for the AMP Scholarship. Bonser also had to take a test proctored by us.

Sewer Committee – Steve Hawk, Chair; Autumn Abelovsky, Co-Chair. Nothing to Report.

Streets, Public Works & Recreation – John Kreitz, Chair; David Zimmerman, Co-Chair. Kreitz- Nothing to Report.

Library Board – Rebecca Worthy. Nothing to Report.

Rebecca Worthy mentioned she did not see a Civil Service Committee section on the agenda and wasn't sure if there ever was one. Worthy reported there was a meeting February 2, 2025.

Parks & Recreation Board – Autumn Abelovsky. Abelovsky mentioned she was looking at the letter submitted and they are requesting to change the Ordinance. Nanovic said it looks like they want to expand in order to get more volunteers.

Canal Commission – Ryan Saunders. Saunders reported that the Canal Commission had their re-organization meeting and he was re-appointed as the Chairperson. We plan on having our clean-up on Saturday, June 14, 2025. We are in the middle of stopping work for the Spillway Project and have a projected date of July. The contractor is claiming a hardship and we are having our solicitor look at this. The Spillway needs some repair, and we need to get with contractor and insurance carrier. If not fixed, we will need to close the canal.

Council of Governments- Steve Hawk, Delegate; Dave Zimmerman, Alternate. Nothing to report.

Junior Councilperson – Alexander Seblin. Nothing to Report. Not Present.

ACCEPTANCE OF OFFICIAL'S REPORTS

JK/RW motioned to accept the official's reports as presented and all were in favor with no questions or objections. 7-0

RW/SH motioned to go into Executive Session at 9:12 pm for litigation regarding the MEA case and personnel and all were in favor with no objections. 7-0

JK/RW motioned to go back into Regular Meeting at 10:10 pm and all were in favor with no objections. 7-0

RW/SH motioned to hire candidate for the Police Department Administrative Assistant Position, pending offer acceptance, background check, and pre-employment screening and all were in favor with no objections. 7-0

RW/SH motioned to promote candidate for the Light and Power Vice Superintendent Position, pending offer acceptance and all were in favor with no objections. 7-0

ADJOURNMENT

RW/SH motioned to adjourn the meeting at 10:13 pm. 7-0

Respectfully Submitted,

Jessica Ahner, Borough Secretary