

STOCKERTOWN BOROUGH COUNCIL MINUTES OF JANUARY 7, 2013

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, JANUARY 7, 2013, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Council members present were: Council President Amy Richard, Council Vice President Paul Zaboy, Sr., Mr. Carl Zito, Mr. Joe Gosnell, Ms. Cindy Hower, Mrs. Rosemarie Wenzelberger, and Ms. Kathleen Zdonowski.
- Mayor Metzgar was present.
- Borough Solicitor Gary Asteak and Police Chief/Zoning Officer John Soloe arrived at 7:39 pm.
- Secretary Chris Burmood was in attendance.
- Patrolman Soloe was present to preserve the meeting.

Meeting called to order at 7:35 PM by Council President Amy Richard, followed by the pledge of allegiance.

Council Comments

- Ms. Richard wanted to dispel rumors regarding the fire on Center Street. The rumors included disparaging remarks about the response time of Forks Fire Department and non-working fire hydrants. Ms. Richard advised she had in her possession the “rip & run” sheets from Dispatch, and detailed the response time from dispatch through time en route, to time the department arrived on scene. Mr. Zaboy stated that there were approximately thirty firefighters on scene within minutes of the first truck’s arrival.

Public Comment

- Eric Wenzelberger stated that on Saturday, he had been out shoveling snow, when one of the Borough’s plow trucks came through and kicked “boulders” and snow against his legs, causing him pain. He returned to his porch to take photos of the truck. After several circuits of the block, the truck returned and PJ (Acting Public Works Supervisor Paul Zaboy, Jr.) got out of the truck and confronted Mr. Wenzelberger, threatening to have him arrested if he continued to photograph PJ. Ms. Richard advised that when someone asks not to have their picture taken, you shouldn’t do so. Mr. Wenzelberger asked Solicitor Asteak if taking pictures was illegal. Mr. Asteak advised that taking photos is legal, but indicated that there is a difference between taking photos and harassment and stalking.

Council Comments, cont’d.

- Ms. Richard advised that the office is having continued problems with receiving timely payment from the Wenzelbergers for their portion of the Aflac bill. She suggested dropping Aflac coverage altogether. Significant discussion ensued. **Motion** by Paul Zaboy, Sr., seconded by Kathleen Zdonowski, to proceed with cancellation of Mrs. Wenzelberger’s Aflac coverage if their portion of the bill is not paid in full by Friday, January 11th. Motion carried 6-1, with Mrs. Wenzelberger the lone “Nay” vote.
- Ms. Richard advised that she had been approached in public by Auditor Ed Behrens, who advised her that Mr. and Mrs. Wenzelberger had shown up at his office on multiple occasions, with RFIs, requesting information about the 2010 Audit, specifically regarding payments made to Ms. Richard in her role as Acting Secretary. Mrs. Wenzelberger stated that Ms. Richard receiving compensation violated the Borough Code. Ms. Richard asked who else on Council had put in the time and effort to handle the administrative duties in the absence of an employed Secretary/Treasurer. She stated that Council had approved her efforts in that role and also had voted to compensate her for the work. Mr. Asteak stated that Council had approved it, and that he did not perceive any ethical violations at that time or now. Mr. Wenzelberger attempted to interject several times. Ms. Richard told him to be quiet, she was addressing Mrs. Wenzelberger. Mr. Gosnell advised Mr. Wenzelberger to remain quiet or he would be physically removed. Officer Soloe indicated that he had heard this warning.

Secretary/Treasurer Report

- **Motion** by Carl Zito, seconded by Paul Zaboy, Sr., to approve the minutes of the December 17, 2012 meeting, as written. Motion carried unopposed.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the payables as of January 2, 2013. Motion carried unopposed.
- Ms. Richard read the following Fund Balances as of January 3, 2013.

General Fund	\$114,607.52
Sewer Fund	\$138,661.82
Centennial Fund	\$4,171.71
Recreational Fund	\$6,319.88
Fire Protection (Fire Truck) Fund	\$3,530.40
Liquid Fuels Fund	\$137,847.89
Rails-to-Trail Development Fund	\$18,244.99
Special Sign Fund	\$250.00
Investment Fund	\$1,059,646.63

Mr. Zaboy stated how remarkable it was that the Borough was able to maintain the balances without raising taxes.

Police Report

- Chief Soloe proposed the hiring of Keith Snyder, currently a full-time officer with Tatamy Borough, subject to passing of a background check and completion of appropriate paperwork. Mr. Zito recommended holding off until February. Ms. Richard asked to hold this conversation until Executive Session, as it is a personnel matter. Chief Soloe advised that it would take 2-3 weeks minimum for the paperwork to be processed through the various state agencies.

Zoning Report

- Zoning Officer Soloe had nothing to report.

Public Works Report

- Mr. Zito advised that PJ discussed with him wanting to remove the utility truck from the EMA building and several all Public Works ties to the EMA building.
- Chief Soloe advised that during the snowstorm, PennDOT had plowed to the Borough boundaries on the north and south ends of town, but did not initiate plowing of Routes 115 or 191 until five minutes before 3pm. Mr. Burmood is currently awaiting a return contact from PennDOT District 5-0 about this. Mr. Asteak stated that if Council deems it in the interest of public safety, the Borough can plow the state highways.

Solicitor Report

- Mr. Asteak stated that the Borough had received notice from the Pennsylvania Labor Relations Review Board for a teleconference on January 23, 2013. His intent is not to object to the formation of a police union.
- Mr. Asteak also advised that the Borough was successful in a recent unemployment compensation matter.

Agenda Items

- Mr. Asteak reviewed the NPDES Permit Waiver application prepared by Borough Engineer Al Kortze, and offered no objection. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve NPDES Permit Waiver Application. Motion carried unopposed.
- With respect to the December presentation by Code Red to Council, Mr. Burmood presented brochures from three competitors for comparison. Mr. Burmood was tasked with preparing a direct comparison spreadsheet.

New, Old, or Unfinished Business

- Mr. Zaboy stated all the manholes are installed and finish work is being done.
- Mr. Zaboy has messages out to the surveyor and trail designer. Mr. Asteak has asked for whatever information we currently have with respect to the north end boundary dispute.

- Rich Wagner requested that eh Borough obtain more recycling bins, as the ones we have get full quickly.

New, Old, or Unfinished Business, cont'd.

- Morgan Schafer, of 304 Old Easton Road, asked if the Rails-to-Trails fees and costs are being paid out of the Rails-to-Trails fund. Mr. Zaboy and Ms. Richard both answered yes. Mr. Schafer then asked if the manhole project was paid for out of the Rails-to-Trails fund. Mr. Zaboy stated it was paid for by the Sewer Fund, as it was strictly sanitary sewer related. It just had to be completed before the trail was installed.
- Mr. Schafer asked if a Right-to-Know request regarding Borough Personnel wages would be honored. Discussion ensued on what would be allowable.

Executive Session – Personnel & Sewer Account matters

- **Motion** at 8:35 pm by Paul Zaboy, Sr., seconded by Carl Zito, to adjourn to Executive Session after a three minute recess. Motion Carried unopposed.
- **Motion** at 9:27 pm Paul Zaboy, Sr., seconded by Carl Zito, to exit Executive Session and return to regular session. Motion Carried unopposed.

New, Old, or Unfinished Business, cont'd.

- Ms. Richard read a thank you card from Mr. and Mrs. Earl Kocher for the fruit basket. The Mayor advised he had received a number of thank you notes and letters. Ms. Richard was asked to read the card at the next meeting when Mr. Kocher would be present.
- **Motion** by Paul Zaboy, Sr., seconded by Kathleen Zdonowski, to approve the latest version of the Personnel Handbook prepared by Paychex, with the added language discussed regarding eligibility for Aflac coverage. Motion carried unopposed.

Adjournment

- **Motion** by Paul Zaboy, Sr., seconded by Cindy Hower, to adjourn the meeting at 9:33 pm. Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, January 21, 2013 at 7:30 pm. The foregoing were approved the 21st day of January, 2013.

President of Council

Attest: _____