

**STOCKERTOWN BOROUGH COUNCIL
SPECIAL MEETING MINUTES OF OCTOBER 1, 2019**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, OCTOBER 1, 2019 AT 7:30 PM AT BOROUGH HALL.

Attendance

- Council Members present were: Council President Amy Richard, Cindy Hower, Joe Gosnell, Rosemarie Wenzelberger and Carl Zito. Kathleen Zdonowski and Pam Davis were absent.
- Borough Secretary/Treasurer Anita Caughy and Mayor Ken Zemencsik were present.
- Solicitor Gary Asteak and Chief John Soloe were present.

The Meeting was called to order by Council President, Amy Richard, at 7:35 PM

Pledge of Allegiance

Public Comment

Council Comment

- Rosemarie Wenzelberger requested that Public Works look into fixing the swale behind Amy Young's house by Newhart Park. She suggested that the Borough add fill dirt to the area since the problem was caused years ago when the sewer lines were installed. Amy Richard stated that she would speak to Alex Hennings, the Director of Public Works to see what could be done. John Soloe informed Council that the area in question is a Flood Plain and that they need to be cautious as to what they can do without having to get Permits and the DEP getting involved. Amy Richard also commented that someone has been dumping tree limbs by the garage in Newhart Park and that they were looking into that matter also.

Secretary / Treasurer Report

- **Motion** by Carl Zito, Seconded by Cindy Hower to approve Council Meeting Minutes of September 4, 2019, as written. Motion carried unopposed.
- **Motion** by Carl Zito, Seconded by Cindy Hower to approve accounts payable for the General Fund and Sewer Fund through October 1, 2019. Motion carried unopposed.
- The Liquid Fuels estimation for 2020 was distributed to Council. The amount as of this date is estimated at \$29,729.39. The amount is less than last year.
- The Volunteer Fire Relief Association payment from the Commonwealth of Pennsylvania was received by the Borough in the amount of \$5,848.79. This amount will be forwarded to Forks Township Fire Department

- Council was informed that payment was received from the Commonwealth of Pennsylvania for the Act 101 Recycling Grant in the amount of \$937.00. This payment is based on the amount of recycling that is collected within the Borough.

Mayor Report

- Mayor Zemencsik had nothing to report.

Police

- Chief John Soloe read the Calls for Service from September 1st to September 30th. There was 1 DUI arrest; 3 additional arrests; 1 Motor Vehicle Accident; 2 Traffic Summonses; 13 Traffic Warnings along with miscellaneous calls for a total of 43 Calls for the Month of September.

Public Works

- Alex Hennings obtained quotes from several companies for the installation of a heating unit for the new Public Works garage. The quotes were as follows:

Fogel's Fuel Service (Propane)	\$5,885.00
Air Professionals (Propane)	\$9,600.00
Services United	
Propane Fired Reznor	\$6,900.00
Propane Fired Sealed Combustion	\$8,200.00
Oil Fired	\$11,400.00
Infrasave Radiant Heaters	\$11,200.00
Suburban Propane	
Reznor LP Gas Unit	\$16,932.00
Airtemp Oil Furnace	\$30,379.00
Union Fuel Company	
Oil Fired Furnace	\$12,162.00

Council reviewed and discussed the quotes. They were advised that Alex Hennings investigated the specifications of each unit and what was needed to sufficiently heat the garage. He recommended Fogel's Fuel Service and felt that the propane unit they quoted would sufficiently heat the garage. Fogle's also offered to replace the current propane tanks at the Borough Office and EMA Building with no rental fee. They stated that the first fill would be at \$1.30 and subsequent fills would be capped at \$1.75 per gallon. Council agreed on Fogel's proposal for the heating unit and replacement of the propane tanks.

- **Motion** by Carl Zito, Seconded by Joe Gosnell to approve Fogel's Fuel Service's proposal at a cost of \$5,885.00 to purchase and install the propane heating unit in the new Public Work's garage and to replace the current propane tanks at the Borough Office and EMA Building. Motion carried unopposed.

- Council was informed that the crack sealing of the Borough roads would be in the 2nd or 3rd week of October.

Solicitor

- Attorney Asteak informed Council that a Final Determination was received with regard to the Office of Open Records appeal which was filed against the Borough. The Determination was found in favor of the Borough. No further action would need to be taken.
- Attorney Asteak presented information he received at the last NAZCOG Meeting regarding a No-Nonsense Neutering Program for Cats. The program is called Trap Neuter Return (TNR). Residents would be able to take a feral cat from the Borough to be spayed or neutered and then returned to the area. The cost for this treatment would be \$35.00 per cat. The cats would also receive a health check, rabies vaccination and treated for parasites and fleas. For identification purposes, each cat has the tip of its left ear removed. This proactive process would prevent multiple kittens populating the area. Council will consider adding the cost of this service to the 2020 Budget.

Agenda

- Lower Nazareth Township has reached out to ascertain whether the Borough is interested in continuing its participation with the Animal Control Officer Program with Pibbles Paws for the 2020 year. Council was advised that the Borough is currently paying \$150.50 per quarter for this program. After discussion among Council members, they felt this is a worthwhile program and agreed to continue participation. Amy Richard asked for a Motion to continue with the Pibbles Paws Program.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to continue participation with the Animal Control Officer Program with Pibbles Paws for the 2020 year. Motion carried unopposed.
- The date and time to celebrate Halloween was agreed upon by Council. Halloween will be observed on Halloween which is October 31st between 6:00 pm and 8:00 pm. Council approved the purchase of candy to be distributed by the Stockertown Police Department.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to approve the purchase of Halloween candy to be distributed by the Stockertown Police Department.
- Amy Richard informed Council that she attended a meeting in Wilkes Barre with DEP, Entech and Sewer Engineer, Jeff Morgan regarding the progress with the permits for the sewer conversion. Questions were answered regarding the Part II Permit and the DEP was satisfied with the answers. Ms. Richard stated that she was led to believe that the permit would be approved and signed by the end of October.

- Amy Richard has been in discussions with Entech regarding funding of the sewer project. Obtaining Grants, Bank Loans and Bonds have all been evaluated to cover the cost. Ms. Richard explained that Entech has been successful in obtaining over 200 Grants for similar projects and suggested that the Borough allow Entech to prepare a Grant Application for funding the Borough's sewer project. Council agreed. Amy Richard asked for a Motion to allow Entech to apply for a Grant.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to retain Entech to prepare a Grant application for the funding of the Borough Sewer Project. Motion carried unopposed.
- **Motion** by Carl Zito, Seconded by Cindy Hower to exist regular session and enter into executive session at 8:12 PM for personnel issue. Motion carried unopposed.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to exist executive session and enter back into regular session at 8:25 PM. Motion carried unopposed.
- Solicitor Asteak stated that the Executive Session involved a Personnel matter that required Council's attention. A full investigation was conducted by the Police Department concerning Officer Diaz, however there are other issues within the Borough. Therefore, upon the recommendation of the Chief, Attorney Asteak proposed the following Resolutions.

RESOLUTION 2019-5

WHEREAS, for reasons of economy, efficiency, productivity, moral and in the best interests of the health, safety and welfare of the community, Borough Council of the Borough of Stockertown, pursuant to the Police Tenure Act, 53 P.S. 813, deems is necessary to reduce the number of paid full-time employees of the Police Department; etc.

- **Motion** by Carl Zito, Seconded by Rosemarie Wenzelberger, to approve Resolution 2019-5. Motion carried unopposed.

Attorney Asteak stated that as a follow-up to the previous Resolution, the Mayor and Chief of Police recommend to Borough Council the following Resolution.

RESOLUTION 2019-6

WHEREAS, Borough Council of the Borough of Stockertown by Resolution pursuant to the Police Tenure Act, 53 P.S. 813, deemed it necessary to reduce the number of paid full-time employees of the Police Department by one (1) person effective October 1, 2019; and

WHEREAS, pursuant to the Police Tenure Act, 53 P.S. 813, there being no persons eligible for retirement, the last full-time police officer appointed to said police force is Officer Gilbert Diaz.

NOW, THEREFORE, IT IS DULY RESOLVED AS FOLLOWS:

Officer Gilbert Diaz is hereby furloughed as a member of the Stockertown Police Department. etc.

- **Motion** by Cindy Hower, Seconded by Carl Zito to approve Resolution 2019-6 as stated. Motion carried unopposed.

Adjournment

- **Motion** by Cindy Hower, Seconded by Carl Zito to adjourn the Council Meeting at 8:30 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on October 21, 2019
The October 21, 2019 meeting was cancelled.

The foregoing was approved the 30th day of October, 2019 at the Borough's Budget Meeting.

President of Council

Attest:_____