

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF OCTOBER 16, 2017**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, OCTOBER 16, 2017 AT 7:35 PM AT BOROUGH HALL.

**Attendance**

- Council Members present were: Council President Amy Richard (who arrived at 7:40), Vice President, Kathleen Zdonowski, Robin Davis, Cindy Hower, Joe Gosnell, Rosemarie Wenzelberger and Carl Zito.
- Mayor Charlie Davis and Borough Secretary/Treasurer Anita Caughy were present.
- Solicitor Gary Asteak, Chief John Soloe and OIC Eric Schwab were present.

**The Meeting was called to order by Council Vice President, Kathleen Zdonowski, at 7:35 PM.**

**Pledge of Allegiance**

- Kathleen Zdonowski asked that public comments and council comments be held until Amy Richard arrives.

**Secretary / Treasurer Report**

- **Motion** by Robin Davis, Seconded by Joe Gosnell to approve the Council Meeting Minutes of October 2, 2017 as written. Motion carried unopposed.
- **Motion** by Carl Zito, Seconded by Joe Gosnell to approve Accounts Payable for the General Fund and Sewer Fund through October 16, 2017. Motion carried unopposed.

**Mayor Report**

- Mayor Davis had nothing to report.
  
- **Amy Richard arrived and continued the meeting at 7:40 PM**

**Police**

- Police Standard Operating Procedures for Body Cameras and Racial Profiling were discussed. Solicitor Asteak advised that council wait until they receive a formal approval from the Borough Insurance Company before approving the procedures.
- A complementary letter was received from Nazareth Police Commissioner concerning Officer in Charge, Eric Schwab which was distributed to council members. Commissioner Miller expressed sincere thanks to Officer Schwab for his help and professionalism with a morning drug raid.

## Zoning

- John Soloe stated that a violation notice was sent to the construction company who owns 317 Crown View regarding the high weeds surrounding the property.

## Public Comment

- There were no public comments.

## Public Works

- Amy Richard stated that she has made a point of not asking council members to make decisions on complicated issues or large expenditures within the same meeting they were introduced as was done previously. She stated that everyone deserves the opportunity to research and consider any decisions without pressure. She then asked for an exception. A Quote was distributed to council for their review regarding the purchase of a new 2015 Backhoe from Plasterer Equipment Company. The MSRP of the 2015 Backhoe is \$154,038.00. The Co-Stars price for the backhoe is \$93,963.00. Plasterer has offered an additional discount of \$16,046.00. Trade In value of the Borough's current 2003 JD 310G Backhoe is \$21,000.00. The final cost of the new 2015 Backhoe to the Borough would be \$61,255.00. Ms. Richard asked that the purchase be approved at this meeting based on the condition that Plasterer was holding this unit for the Borough only until the following morning as there is only one left and several other interested municipalities are actively looking for financing. Secondly, the current loader is 14 years old and will need major maintenance in the near future. Solicitor Asteak stated that since Plasterer Equipment Company is a Co-Stars member, additional quotes are not needed to approve this purchase. Mayor Davis stated that the old backhoe has had hydraulic issues for years and he believes that this purchase would be a good idea. After discussion, Amy Richard asked for a Motion to approve the purchase of the new 2015 Backhoe for a total cost to the Borough of \$61,255.
- **Motion** by Carl Zito, Seconded by Joe Gosnell to approve the purchase of the 2015 John Deere Backhoe in the amount of \$61,255.00. Motion carried unopposed.
- Amy Richard discussed with Council the options of paying for the new backhoe outright from Borough funds or obtaining a loan for the purchase. Council agreed that there was no reason to pay interest for a loan since the Borough has the money in its savings to pay for this purchase in full.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to pay for the 2015 John Deere Backhoe in full from the Borough's funds. Motion carried unopposed.

## Solicitor

- Solicitor Asteak was provided with a list of Traffic Ordinances previously approved for the Borough which needs to be reviewed and updated. Mr. Asteak stated that he will call Anita Caughy at the Borough Office to go over the ordinances before preparing the final draft. Ms. Richard asked whether the changes will have to be advertised. Mr. Asteak stated that since there are other changes with the amounts of fines and deleting sections that it would have to be advertised once it is completed.

- Solicitor Asteak stated that there would need to be an Executive Session for litigation.

### Agenda

- Amy Richard explained that during the review of the traffic ordinances, it was discovered that Main Street, from Center Street West to the Borough boundary line, was originally adopted as a 25 mph zone. Somewhere over time the speed limit was increased to 35 mph. There have been numerous accidents along this stretch of road due to high speeds. There are also multiple school bus and Lanta stops along this road. The Borough is requesting PennDot perform a traffic study of Main Street to consider reducing the speed limit to its original speed limit of 25 mph. Main Street is a PennDot road; therefore, PennDot must approve the speed limit change.
- Amy Richard asked that a policy be discussed and approved by Council for employees' use of Newhart Park. Ms. Richard stated that the residential rental fee is \$25.00. Public Work employees open and close the park for rental and clean up after it's used. She asked for council's opinion on the charge for employees. The consensus was to let employees have free use of the park, but that Council members would be required to pay the rental charge for their use. Solicitor Asteak stated that Council could not vote on free use for Council members.
- Council discussed when leaf pickup would commence. It was decided that Leaf Clean Up will begin November 1<sup>st</sup> and continue through November 30, 2017.
- Rosemarie Wenzelberger asked whether the Borough was going to have a Fall branch pickup. Amy Richard stated that there were no plans for a Fall branch pick up, but that there would be a Spring branch pickup scheduled at a later date.

### Executive Session

- Amy Richard asked to enter into Executive Session to discuss Police issues. She advised residents that a decision will be made afterwards.
- **Motion** by Amy Richard, Seconded by Carl Zito to enter into Executive Session at 8:01 PM. Motion carried unopposed.
- **Motion** by Joe Gosnell, Seconded by Kathleen Zdonowski to exit Executive Session and enter into Regular Session at 8:22 PM. Motion carried unopposed.
- **Motion** by Amy Richard, Seconded by Joe Gosnell to approve settlement with regard to the Handley vs. Straka litigation matter in accordance with the Insurance Company's recommendation. The amount will be disclosed upon Court approval. Motion carried unopposed.
- **Motion** by Amy Richard, Seconded by Joe Gosnell to increase the hourly rate of Officer Samira Sabbagh. Vote went as follows: Motion carried.

	Yea	Nay	Abstain
Amy Richard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robin Davis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cindy Hower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gosnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kathleen Zdonowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rosemarie Wenzelberger	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl Zito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Agenda Continued with Budget Review**

- General Fund Budget – Each Council member received a printout of the 2017 Budget vs. Actual for review for both General and Sewer Budgets. After reviewing each item, the General Budget breakdown is as follows:

Income Budgeted Amount	\$544,333.55
Amount Received as of 10/12/17	<u>\$583,539.84</u>
Income Amount over Budget	\$ 39,206.29

<b>General Fund Expenses</b>	<b><u>Budgeted</u></b>	<b><u>Spent</u></b>
Police Department	\$146,013.56	\$129,300.25
Fire Protection	\$ 36,322.00	\$ 27,075.03
Public Works	\$108,657.50	\$ 75,159.98
Total Budget for 2017	\$544,333.55	\$744,251.53 <b>includes road paving</b>
Road Paving Not Budgeted		<u>\$334,513.33</u>
Amount Spent as of 10/12/17		\$409,738.20
Amount Under Budget		\$134,595.35

- Sewer Account Income and Expenses were reviewed. Amy Richard stated that the Parts & Repairs Items along with Small Tools & Equipment are well over budget due to replacing pumps and electrical work at the sewer plant. Engineering and Legal Services are extremely over budget due to the DEP litigation issue.

Amount Budgeted for Sewer Fund	\$210,175.00
Amount Spent as of 10/12/17	<u>\$239,639.65</u>
Amount Over Budget	\$ 60,576.79

- A breakdown of the final CD held with Merchant’s Bank and the Money Market Breakdown are as follows:

	<b>General Fund</b>	<b>Sewer Fund</b>	<b>Fire Prevention</b>	<b>Centennial</b>
CD \$278,505.44	\$145,943.52	\$138,646.33	\$ 4,378.31	\$ 2,918.87
Money Market Acct.	<u>\$ 129.38</u>	<u>\$416,670.52</u>	<u>\$13,158.15</u>	<u>\$ 8,772.20</u>
Total Investments	\$146,072.90	\$555,316.85	\$17,536.46	\$11,691.07

- Anticipated Payment from PennDot upon the Turn Back of Bushkill Street in early 2018 will be approximately \$54,000.

**Adjournment**

- **Motion** by Joe Gosnell, Seconded by Carl Zito to adjourn the Council Meeting at 8:47 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on November 6, 2017

The foregoing was approved the **6<sup>th</sup>** day of **November, 2017**.

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President of Council

Attest: \_\_\_\_\_