

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF OCTOBER 21, 2013**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, OCTOBER 21, 2013, AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Council members present were: Council Vice President Paul Zaboy, Sr., Mr. Joe Gosnell, Ms. Cindy Hower, Mrs. Rosemarie Wenzelberger, and Mr. Carl Zito.
- Ms. Kathleen Zdonowski did not attend.
- Police Chief/Zoning Officer John Soloe, Mayor Charlie Davis, Public Works Acting Supervisor Paul Zaboy, Jr. (PJ), Borough Solicitor Gary N. Asteak, and Secretary Chris Burmood were in attendance.
- Council President Amy Richard arrived at 8:37 pm.

**Meeting called to order at 7:30 pm by Council Vice-President Paul Zaboy, Sr., followed by the pledge of allegiance.**

**Public Comment**

- Eric Wenzelberger, of 111 Center Street, asked about when the crack sealing of the roads would occur. Mr. Zaboy stated that crack sealing had started today. The road crew is using a rented apparatus to prep and seal non-state roads. Mr. Wenzelberger advised that there were locations on Winona Street in need of sealing.

**Council Comments**

- Mrs. Wenzelberger stated that she had met with Linda Iudicello, of the Bushkill Stream Conservancy (BSC), who was present tonight to discuss ideas about the dedication of Sherman P. Metzgar Park. Ms. Iudicello proposed a memorial garden in the upper northwest corner of the park, near the Metzgar home. Mrs. Metzgar will donate a bench. Several members of the BSC are master gardeners and would assist in the design and planting of such a garden. Ms. Iudicello addressed the drainage issue for that area of the park, and stated that they would seek to have the quarry donate materials. The BSC is going to donate a red maple and a plaque. Mr. Zaboy requested a site plan/drawing. Ms. Iudicello stated that they would have professional plans drawn up. Mr. Zaboy indicated no objection to such a memorial garden, and requested that native plants be used. Mrs. Wenzelberger stated that the dedication would be in early spring. Mr. Zaboy discussed the relative placement of the park signs. Ms. Iudicello asked about donations of perennials **from residents**. As for maintenance, Ms. Iudicello stated that the BSC would periodically weed. They would install a border and mulch to keep the garden low maintenance.

**Secretary/Treasurer Report**

- **Motion** by Paul Zaboy, Sr., seconded by Joe Gosnell, to approve the minutes of the October 7, 2013 meeting, as written. Motion carried unopposed.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the General Fund payables and Sewer Fund payables through October 21, 2013. Motion carried unopposed.

**Mayor's Report**

- Mayor Davis stated that a resident of the west side 400 block of Main Street had contacted him about the gravel at the end of the alley. Apparently, their car slid on the gravel, nearly onto Industrial Boulevard.

### **Police Report**

- Chief Soloe presented the mid-monthly statistical report. Mr. Zaboy inquired about 911 hang ups. Chief Soloe advised that many times, it is a cell phone, and difficult to determine the exact location.
- Chief Soloe requested that the Borough consider installing right turn only signs where the alleys meet Industrial Boulevard, because of the unsafe condition. Ms. Hower said that should also apply to the nearby factories. Mr. Asteak recommended that the Borough send a letter to PennDOT. Mr. Zaboy stated that PennDOT officials visiting the crossing construction had been “perturbed” at motorists attempting to cross Industrial Boulevard. Mr. Wenzelberger asked how the Borough could regulate a private alley. Mr. Asteak said that it depends on the Highway Occupancy Permit for the alleys, if they exist.

### **Zoning Report**

- Mr. Soloe had nothing of note to report on.

### **Public Works Report**

- Mr. Zaboy reiterated that crack sealing had started today at Ariel Court.
- Mr. Zito asked where the yellow dump truck was. It is still in the garage, and we have not received a quote yet for the damages done.
- Mr. Zito also asked about the ballfield parking area. He was told it is an ancillary project when time permits.
- Mr. Zito asked how many crew members were involved in the crack sealing process. Per PJ, all five.
- Leaf pickup would resume once the crack sealing was completed. Borough properties will be addressed first.
- Per Mr. Zaboy, the crossing construction project is well under way. Mr. Zito inquired about leaf clean up along the trail. Mr. Zaboy stated that would be a Public Works responsibility. Mayor Davis asked if guiderails were going to be installed on the refuge island at the crossing. Per Mr. Zaboy, only mountable curbing shall be installed per PennDOT.

### **Solicitor Report**

- Mr. Asteak advised he was negotiating with the Service Electric Cable representative. The representative was to provide a revised agreement with agreed upon changes, but would only be able to provide one free Internet access to the Borough at a single location.
- Mr. Burmood advised that he spoke with Ralph Stampone, owner of Ralph’s Radiator, who stated his attorney and his realtor both advised against a traffic signal easement for the radar speed sign. A trailer mounted speed sign would require a separate permit and application. Mr. Burmood would discuss the corner of Main and Dogwood with the property owners.
- Mr. Asteak indicated that on September 25<sup>th</sup>, Mr. Heitzinger, owner of the property that MT Automotive is located upon, was served formal notification of the lawsuit by process server at 8:00 am local time in California. Mr. Asteak will be seeking to put it on the trial list for December.
- The Joshua Tree Land Development resolution was done and sent, and we are awaiting the response from Joshua Malik.
- Mr. Asteak also advised that PennDOT provided Mr. Zaboy with bad information regarding the Highway Occupancy Permit security requirement in conjunction with the bid process for the trailheads and crossing construction.

### **New, Old, or Unfinished Business**

- Mr. Zaboy recommended that Council cancel all Budget meetings until mid-November, as we are awaiting the figures from County before we can proceed further. Council was in agreement.
- Mr. Gosnell briefly mentioned the Jake Brake signs.

**Executive Session – Personnel and Legal Issues.**

**Motion** at 8:14 pm, by Carl Zito, seconded by Paul Zaboy, Sr., to enter executive session for Personnel and Legal matters, following a 5 minute break. Motion carried unopposed.

**Motion** at 9:00 pm, by Carl Zito, seconded by Paul Zaboy, Sr., to exit executive session and return to regular session. Motion carried unopposed.

**New, Old, or Unfinished Business, cont’d.**

- **Motion** by Carl Zito, seconded by Paul Zaboy, Sr., to extend an offer of employment to Anita Caughy, as Borough Secretary/Treasurer at an initial rate of \$18 per hour with a 25 hour per week minimum. Motion carried unopposed.

**Adjournment**

- **Motion** at 9:00 pm by Paul Zaboy, Sr., seconded by Carl Zito, to adjourn the meeting. Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, October 21, 2013 at 7:30 pm. The next Budget meeting will be held on Wednesday, November 13, 2013 at 7:30 pm.

The foregoing were approved the 21<sup>st</sup> day of October, 2013.

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President of Council

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