

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF OCTOBER 7, 2013**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, OCTOBER 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. Joe Gosnell, Ms. Cindy Hower, Ms. Kathleen Zdonowski, Mrs. Rosemarie Wenzelberger, and Mr. Carl Zito.
- Mayor Charlie Davis, Borough Solicitor Gary N. Asteak, and Secretary Chris Burmood were in attendance.
- Police Chief/Zoning Officer John Soloe arrived at 8:00 pm.

**Meeting called to order at 7:32 pm by Council President Amy Richard, followed by the pledge of allegiance.**

**Public Comment**

- Eric Wenzelberger, of 111 Center Street, stated that several people discussed the lack of crosswalks for Main Street with him. He inquired if the Borough could paint crosswalks, especially where the [school] bus stops are. Mr. Asteak advised that state roads, such as Main Street and Industrial Boulevard, require PennDOT approval, and asked about the pedestrian plan prepared by Sean Dooley, of the Planning Commission. Mr. Zaboy stated that the only one PennDOT permitted was at the Post Office, and that to put one in now would require updating the curb cuts to current ADA standards.
- Earl Kocher, of 300 Old Easton Road, asked about the message posted on the marquee sign. Ms. Richard stated she only had his word about it, and if it was done she spoke with staff and it wouldn't happen again.

**Council Comments**

- Ms. Richard read a letter of resignation submitted by Treasurer Rosalie Mondello, indicating her last day would be October 4, 2013. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to formally accept the letter of resignation submitted by Ms. Mondello. Motion carried unopposed.
- Ms. Hower wanted to have it noted in the minutes that there was damage done to her garden area by Hale Built during tree removal for construction on the trail. There was discussion over whether it was done by Hale Built or a subcontractor, but in any event, that Hale Built would make good on the damages. Ms. Hower wanted to wait until spring to see if the damaged flora survives. Mr. Zaboy asked Ms. Hower to write down exactly what was damaged in detail, so we have a record we can take to Hale Built.
- Mrs. Wenzelberger asked about the advertisement to hire a Secretary/Treasurer. She also asked why, if Rosalie's letter of resignation was dated September 23<sup>rd</sup>, this was the first time she heard about it. She stated she feels offended that she was not advised about either the resignation or the advertisement. Additionally, she is working with the Bushkill Stream Conservancy (BSC) to plant a tree in the park and just got a copy of the response letter this evening. She advised that Floyce Metzgar was upset about the misspelling of her husband's name in Ms. Richard's informal note. Mrs. Wenzelberger also stated that that she and Ms. Hower were going to be arranging the fruit baskets this year for residents age 75 or older. Mrs. Wenzelberger said she received this evening a statement from the Centennial Fund, but has a check for \$100 from her mother, and stated that the books should have been put in her mother's name. Ms. Richard asked what the issue was about posting the advertisement. Mr. Zaboy stated that the Borough Code provides that President of Council makes committee appointments, and that oversight is appropriate. Mr. Wenzelberger asked where in the Borough Code that can be found. He also asked why the advertisement was done without full board approval. Mr. Asteak stated that certain administrative activities should not have to wait for a council meeting, that it would be unreasonable to have to do so. Ms. Richard advised she did not receive the letter of resignation until September 26<sup>th</sup>.

**Secretary/Treasurer Report**

- **Motion** by Paul Zaboy, Sr., seconded by Kathleen Zdonowski, to approve the minutes of the September 23, 2013 meeting, with the correction as noted below. Motion carried unopposed.
  - Page 2, 1<sup>st</sup> bullet point of **Solicitor Report**, 1<sup>st</sup> line: change “and” to “an”.
- **Motion** by Paul Zaboy, Sr., seconded by Joe Gosnell, to approve the General Fund payables, Sewer Fund payables, and Rails-to-Trails Fund payables through October 7, 2013. Motion carried unopposed.

#### **Solicitor Report**

- Mr. Asteak stated that he was awaiting Exhibit A for the Service Electric Cable Franchise Agreement, but otherwise was ready to advertise and has the Ordinance prepared.
- Mr. Asteak asked about the Traffic Signal Easement for the radar speed sign in front of Ralph’s Radiator. Mr. Burmood advised that there has been no response from Ralph Stampone.
- 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.

#### **Mayor’s Report**

- Mayor Davis submitted to each member of Council a list of work needing to be done by Public Works. Mr. Zito said to add this to the existing list and advised of a need for a meeting.

#### **Police Report**

- Chief Soloe had nothing substantial to report.

#### **Zoning Report**

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

#### **Public Works Report**

- The crew has been working on the berm to shore up the banks of pond 2/3. They’ve done a magnificent job and are nearly done seeding it.
- Construction on the Industrial Boulevard crossing for the recreational trail is to begin tomorrow.

#### **Agenda Items**

- Mr. Burmood advised that PennDOT required some changes to the guiderails up at the Route 33 interchange, in conjunction with the signalization project. As such, the mylars required an authorized signature from a Borough official. **Motion** to authorize Council President Amy Richard to sign the mylars giving Borough approval to the changes. Motion carried unopposed.
- Mr. Burmood met with Kenneth Rotz, President of Keystate Publishers, Inc., regarding updates to the Stockertown Code. Unlike General Code, Keystate does not charge an annual maintenance fee on top of the charges incurred for supplementing the codification. When the time comes to add to the code, or to recodify, Mr. Rotz would like to provide a quote for the services.

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

- Mr. Burmood advised that three neighboring towns, including Nazareth, are holding Trick-or-Treat festivities between 6 and 8 pm on Halloween evening. Council agreed to do the same.
- Ms. Richard asked if Council was agreeable to cancelling the scheduled budget meeting for October 16<sup>th</sup>, citing that wages are the remaining large hurdle to the process. Council agreed to cancel. Mr. Burmood was tasked with updating the sign and posting on the Borough Hall doors.

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

- Morgan Schafer, of 304 Old Easton Road, asked if signs can be posted on both ends of town for trick-or-treat. Chief Soloe advised he has four officers scheduled to work that evening. Mr. Zaboy offered his services, as well.
- Ms. Richard read an anonymous letter found in the Borough Hall vestibule regarding the design of the Sherman P. Metzgar Park signs, suggesting a Borough-wide contest, with Mrs. Metzgar selecting the winning design. The letter also referenced obtaining community donations. Mrs. Wenzelberger advised that Mrs. Metzgar is happy with the current sign design.
- Mr. Wenzelberger asked about the specifics of the construction project at the Industrial Boulevard trail crossing. Mr. Zaboy stated that they are constructing a “refuge island” in the median, with ADA compliant ramping and curbing on either side of Industrial Boulevard.

**Motion** at 8:25 pm, by Carl Zito, seconded by Joe Gosnell, to enter executive session for personnel matters, following a five minute break. Motion carried unopposed.

**Executive Session – Personnel**

**Motion** at 8:57 pm, by Carl Zito, seconded by Paul Zaboy, Sr., to exit executive session and return to regular session. Motion carried unopposed.

**Adjournment**

- **Motion** at 8:57 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, October 30, 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: \_\_\_\_\_